Reports of the Seventh and Eleventh Provincial Conference, Bombay, 1894 and 1901.

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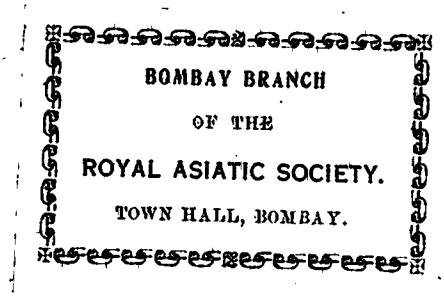

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REPORT

OF

SEVENTH

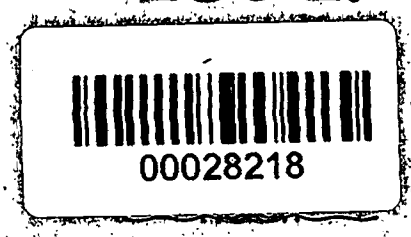
Provincial Conference,

HELD AT

BOMBAY,

On 2nd, 3rd, and 4th November

1894.



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The capabilities of India can never be fully developed by a process of perpetual dry-nursing. Our pupils, without being released from tuition or allowed to run riot out of bounds, must be allowed to grow, to use their limbs and faculties, and to exercise the arts and accomplishments that we may be proud of having taught them. And as they prove themselves able and willing to carry on the good work which we have planned and initiated, we may, with great relief and advantage to our own overstrained establishments, enlarge their bounds and place more confidence in them. (MAJOR EVANS BELL.)

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INTRODUCTION.

"*A candid exposition of native feeling and an occasional discussion of native claims would be of the greatest advantage and assistance to our rulers. The centralised despotisms of Europe are worshipped by officials because the views and commands of the Sovereign and his Ministers are in ordinary times carried out with promptness and effect; but we know how liable they are to tremendous convulsions because they trust to physical force and ignore and disregard the feelings of the middle class, the educated minority, the living and active elements of the nation. But what should we think of a Government which habitually ignores and disregards the views and feelings of an overwhelming majority! Has not the British Government of India sometimes fallen into that danger? Nothing could so effectually avert that danger, nothing would invigorate the Government so much as a real working opposition both within and without the Council Chamber; it would at once enlighten and enliven the proceedings of the Council, add force and currency to its enactments and give weight to the decisions of the Executive Government.*

"*We have done a great deal for the people of India* * * * * * *We have shewn them a government of law and order, of rights and principles. We cannot stop here; we must allow them to touch, to handle, to taste and to enjoy all those glorious fruits of British civilisation which we have taught them to understand and to appreciate. We cannot give and withhold at the same time. We must continue to show the way in reform and reconstruction; we must always confer and never concede; so long as the British Government keeps moderately in advance of native opinion and native capacity, it will preserve the moral support of the influential classes, without which peace and good order will for ever be precarious, and physical force will be a doubtful and discreditable safeguard.*"—MAJOR EVANS BELL.

IT is a matter of sincere gratification to all lovers of progress and reform that, closely following in the wake of the Indian National Congress, their parent, Conferences in all the important centres of the Empire are becoming regular annual institutions, abiding in their character and far-reaching in their effects. They are fast taking deep root in Bengal, in Madras, and in Bombay. Their yearly meetings, be they in the capitals of the different Presidencies and Provinces or elsewhere, are slowly educating the people, enlarging the sphere of their utility, and generally influencing the country for good. Governors and governed are alike benefited by the healthy criticism pronounced at these unconventional conventions, representing the most cultured, the most intellectual, and the most progressive in the communities. The interests advocated at a Congress or a Conference are the interests of the people at large, which, it is superfluous to observe, are identical with those of the State. They are fundamentally wrong who would feign attribute such advocacy to a spirit of hostility to Government. Yet this is the fallacy in which those who look askance at these popular movements mostly indulge. The sooner such persons avoid the committal of such a fallacy and honestly strive to understand the true aim and object of Congresses and Conferences, the better for themselves. They are the real enemies of the country who would neither care to study that aim and object nor take pains to correct their erroneous impressions and even deep-rooted prejudices. It is always difficult to convince those who are determined not to be convinced at all. Congresses and Conferences, however, will not cease to carry on their noble and legitimate mission on their account. Any good work for the benefit of the human race never lags behind for such. So long as a community, be it low or be it high in civilisation and in enlightenment, thinks what is and what is not good for its onward progress, and takes measures accordingly, no good

work is ever stopped. Obstructions there may be. But they must be overcome. The rivulet, before it swells into a river and reaches the ocean, meets with no little obstruction. All the same its progress is never retarded, albeit that it may be slow. Thus it is that Congresses and Conferences are steadily moving forward. They move slowly, but with all the force and strength of the Alpine avalanche. In the fulness of time posterity will reap the reward of the labour, the self-sacrifice, and the patriotism of those who are now instrumental in advancing them stage by stage.

Already the Conference in this Presidency has become a power for good and an influence to count with by the authorities. The reports of the six previous Conferences are a tangible evidence of the solid and useful work they have done. They are a creditable testimony to the ability, intelligence, and sound judgment of those who have taken a part in them. But if the previous Conferences have been a success, it may be unhesitatingly observed that the Seventh, which was held in Bombay in November last, was a decided success, surpassing, as it did, all in the number of practical problems of the administration on which it deliberated—and deliberated with care and accuracy of facts. The first five had their sittings in Poona, but the Sixth made a new departure by holding its meeting in the ancient and historical capital of Gujerat, thus rousing the dormancy of that part of the Presidency and bringing it in a line with the more advanced centres. The object-lesson learned by Ahmedabad can never be forgotten, while the value of the education imported by the Conference there cannot be gainsaid.

The Conference at Bombay also took a new departure. For the first time a praiseworthy effort was made to review the principal events of the Administration and criticise the shortcomings of its different departments. In this respect it may be said without hesitation that the President, the Hon'ble Mr. Javerilal Umiashanker Yajnik, most successfully endeavoured to carry into practical effect the principal function of the Provincial Conference. In the elaborate address which he delivered thereat, he may be said to have run the gamut, as it were, of the entire administrative organ. No important topic of imperial or provincial concern, on which Native public opinion had pronounced itself, was omitted from his elaborate and comprehensive survey. The closure of the mints and the mischievous consequences which followed in its train were as graphically passed in review order as the disastrous effects of the iniquitous exchange compensation allowance which necessitated additional new taxation in the shape of import duties on foreign goods save cotton fabrics. The injustice of the exclusion* of the latter from the tariff schedule, to please Manchester, was as much criticised as the financial iniquity of laying the whole burden of the appalling military expenditure of 23 crores on the shoulders of this overtaxed and helpless country. Neither did he omit to exclude from his purview the healthy criticism of Sir David Barbour, our late Finance Minister, on the utterly irresponsible and uncontrolled character of Indian Finance, nor the valuable contribution of his predecessor in office, Sir Auckland Colvin, to the pages of the *Nineteenth Century* (October 1894) supporting those views and confirming the contention of the Bombay Presidency Association and the British Committee of the Indian National Congress, that military

* It must be said that since the address was delivered the iniquity has been removed by the inclusion of the cotton fabrics in the Tariff.

expenditure, and not exchange, as has been studiously and persistently declared by the Finance Department, was the *principal* factor of the chronic embarrassment of the Indian exchequer. Then, referring to matters of moment in the Presidency, Mr. Javerilal reviewed at considerable length, and with much vigour, how interpellations in the local Legislative Council were resented, without any reasonable ground by the members of the Executive Government ; how evasive, vague, and even misleading in some instances, were the replies of the different bureaus ; how the rules of debate were strained in order to put closure on the perfectly legitimate strictures arising out of facts connected with the provincial budget ; and how woefully wanting in imperial and provincial budget-making was financial statesmanship. Referring to interpellations, the President readily acknowledged that "in spite of these drawbacks there can be no doubt whatever of the fact that the privilege was most valuable. It is a tolerably wholesome check on official vagaries and acts as a powerful corrective against maladministration and favouritism. The knowledge that an unfair act on the part of the Administration, either in the districts or at head-quarters, will be dragged into the light of day cannot but operate as a powerful antidote against abuses on an official-ridden country like India, with public opinion not so strong or keen as one might expect." It is to be hoped that, with the growing influence of the Native Press and keener sense of public opinion, interpellations will fulfil the object Parliament had in view. And as to the replies, much, no doubt, will depend on the growing spirit of tolerance of non-official criticism and progress of broad and liberal ideas which the Executive may display. For in reality the independent non-official element in the Legislative Councils of the Empire represents, to take some of the words quoted at the head of this introduction, the loyal "working opposition," so to say, of Her Majesty's Indian subjects. Interpellations alone can invigorate listless administrations, deaf to enlightened public opinion ; enliven the proceedings of these deliberative assemblies ; "add force and currency to their enactments ; and give weight to the decisions" of the Executive authorities. As to financial statesmanship, it is a notorious fact, and none gave it greater publicity than the late Mr. Robert Knight, that Bayard of Indian journalism, the like of whom India may perhaps never witness for another century, that it is woefully wanting at head-quarters. In its place we have mere superior book-keeping. Finance Ministers are no more than superior book-keepers of State. But it is one thing to keep a perfect system of accounts and another thing to manage the finances of a vast empire like India, which now boasts of a gross revenue well nigh approaching 100 crores of rupees ! As the President justly observed, "It is much to be feared that a systematic study of the principles on which public finance should be practically carried out is almost non-existent in India. Principles are often cast to the winds where increase of revenue is the only consideration. Political economy is oftener than not in violent conflict with proposed remedial financial measures." But, while we may have to wait for financial statesmanship, it is to be earnestly hoped that the provincial budget-maker will carry out the practical suggestion of the President, namely, prepare an Explanatory Memorandum or Note which, like the Parliamentary one annually issued in May, will give full detailed explanations as to increases or decreases in major and minor items on both sides of the Provincial Financial Statement. The Note would prove, not only of great service to honourable members discussing the annual budget, but will economise time and energy

which might be thus concentrated on something equally important and interesting to the welfare of the Presidency. At any rate let us hope that the suggestion will not be evaded under the stock plea the public has grown sick of hearing, namely, that it may be "prejudicial to public interests," whatever may be meant by that hollow phrase.

Mr. Javerilal then passed on to the proposed rules for the new Provincial Service which Professor Gokhle, the principal mover of the Resolution on it, characterised as "ridiculous." As at present drafted they are so retrograde as to prove detrimental to the efficiency of that Service and liable to bring it into public contempt—a consummation which may, perhaps, be secretly wished for by the authorities, but which the public should strain every nerve to avert. The observations on this subject will be found most instructive as well as those on the operations of the Deccan Agriculturists' Relief Act, which has now undergone considerable amendment in the Supreme Legislative Council under the guidance of its nurse, the Hon'ble Mr. Lee-Warner. But, however tinker and amend, amend and tinker, as you may, enactments of this grave character, it is impossible for us to conceal the fact pointed out so pertinently by the Hon'ble Mr. P. M. Mehta, during the debate on the first reading of the amending Bill. He observed that amendments of the character were simply palliatives that did not touch the root of the impoverishment of the Deccan-peasantry. Not that the Government was neglectful of their condition ; but still no broad attempt was as yet made to grapple to a reasonable extent with this appalling agrarian problem—a problem which has caused for years past, and is still causing, the gravest anxiety to the Government, and which is full of portent, if not handled in a statesmanlike way very soon, compatible with the resources of the State.

Forest grievances, to which the attention of the Government has often been drawn, were next referred to. In dealing with these, Mr. Javerilal briefly referred to the dissatisfaction caused to the agriculturists by reason of the harsh operation of the rules under the Forest Act, and expressed the hope that the new resolution recently published on the subject of grazing of cattle and the reservation of forests for certain agricultural operations may lead to the removal of that dissatisfaction. He eulogised the statesmanlike efforts of the Earl of Elgin in the matter and the sympathy His Excellency had so far displayed towards the agriculturists. After referring to the State efforts in matters of high education, the deplorable riots which have left such a black escutcheon on the administration of Lord Harris, and the imperative necessity of the Government maintaining unswervingly the principles of the gracious proclamation of the Queen which are "the Charter of the liberties of the princes and the people of India," he brought his elaborate address to a close, which fully occupied an hour and a half in delivery.

The Subjects Committee having been nominated, the Conference adjourned its sittings till the next day in the afternoon. Fully four hours were devoted to the consideration of the following important resolutions :—

(1) Land Revenue, Survey Settlements, and iniquity of enhanced assessments in certain parts of the Presidency, notably in Devghad, Alibag, and Pen.

(2) Provincial Service Rules.

(3) Legislative Councils, distribution of seats, interpellations and discussion of the Provincial Budget.

Concerning the First resolution, it may be unhesitatingly observed that on no previous occasion was the subject-matter thereof debated at such length, with such marked ability, force of statistics, and arguments as at the Seventh Conference. The question of survey settlements and revenue enhancements was threshed out in a way which left very little to be desired, bearing in mind the extremely limited time allowed to the mover and the seconder of the resolution and to its supporters. The reader must be referred to the resolution itself for its full context which almost occupies a page. It was divided into four sections, whereof the first treated of the tendency of Survey officers to tax cultivators' improvements in spite of the restrictions placed by the Governments of Sir Philip Wodehouse and Lord Reay. The second complained of the arbitrary ruling of Government in reference to the settlements in both of the reports of the Revenue officers. The third grievously complained of over-assessment where such was not warranted, especially in the Konkan. The last referred to the specific grievance of the Devghad taluka, where the Survey officers have settled the assessment at a rate higher than what the owners of land are able to recover from their tenants under the Khote tenure. In fact, it is virtually a confiscation of the prescriptive rights of the Khotes who are thus being ruined. The facts to which each speaker to the resolution referred were not only formidable but convincing—specially by reason of each of them having been personally conversant with the matters complained of. Whether it was the Hon'ble Mr. Natu or Mr. Maneksha J. Talyarkhan who spoke, or the redoutable and ever accurate Mr. Gharat, or Messrs. Vithul Mahadeo, Gunesh Hari Devarkar or Budhap Mokul, they all spoke from their intimate knowledge and experience. Now, in his speech at the Byculla Club dinner on the 14th February, Lord Harris took credit for his general policy in the matter of Land Revenue Settlements and Assessments, that on the whole there was no cause for serious complaint, inasmuch as the Government relied on the accuracy of its Revenue and Survey officers. That is just where the Government grievously errs. Mr. Gharat, in his subsequent letters to the English dailies, has given a complete rejoinder to his Lordship's asseverations. It is a fact that Government refuses to hear appeals from those having a legitimate and substantial grievance. It often has refused to hear them on the ground of lateness after having taken care to give the briefest possible notice of increased assessment—so brief indeed that it was impossible for a class of ignorant men, dependent on others to put their case before the proper authorities, could prepare appeals and present them in time. Indeed it would be no exaggeration to say that the authorities apparently seem to be loth to hear such appeals at all. It is no wonder that injustice of this nature rankles in the hearts of the complainants leading to sullen dissatisfaction. What, for instance, could be more oppressive than the enhancements in Alibag and Pen talukas, to which various speakers referred—enhancements ranging from 400 to 200 per cent. In one case it was pointed out by Mr. Mahdeo that it had reached 1,000 per cent., the taluka being Tanoapen. From the lists of the revised rates quoted by Mr. Mahdeo, it would be seen that Alibag taluka has had its assessment enhanced by Rs. 62,092-13-5 over that of the previous settlements ! Similarly the assessments in Pen were increased by Rs. 46,037. And what is the commentary on these. Let it be stated in Mr. Madhev's own words : "Hundreds of people appealed to Government after the announcement of the revised rates, but they have received no reply as yet." It would indeed be tedious to recount all the tales of woe and

injustice to which the speakers referred. The primary duty of the Government is to see whether the settlements are made in obedience to the existing rules and regulations, and secondly, to give a patient hearing to those who may have appealed. That duty, it is a matter of regret to have to say, is never discharged, the Government blindly relying on the reports of its own officers. The fact is that there is no fixed and definite principle on which these surveys are made and the assessments raised. It all depends on the individual whim or caprice of the officer surveying, or the revenue official assessing the land, irrespective of all other considerations save that of bringing additional grist to the State mill. From the point of view of the official it is no doubt the very perfection of the system. It may mean promotion and decoration. As they allege in reference to police officers that there is no promotion without conviction, so here, too, it may be that there is no promotion without enhancements. It may be deplorable, but nevertheless it is true, that, so far as land revenue is concerned, there are no trustworthy or ascertained facts on which the Government could authoritatively go. And yet they talk of these systems as being as perfect as a human Government may make it! It may not, however, be uninstructive in this place to quote the late Sir Louis Malet's opinion on the point. "If there is any one thing which is wanting in any investigation of Indian problems, it is an approach to trustworthy and generally accepted facts. *There is hardly a subject upon which the best authorities do not absolutely disagree as to the fundamental facts.* I could mention the most startling instances, but they must be present to the minds of all of us. *Now I am compelled to say that, since I have been connected with the India Office, I have found just as strong a repugnance to the adoption of any adequate measures for the collection of a comprehensive and well digested set of facts as to the recognition of general principles.*" Is not this a satire on the policy of land revenue pursued by the various administrations in India? And is it surprising if holders of land bitterly complain of oppressive enhancements and arbitrary settlements? There is another pertinent observation of Sir Louis Malet with regard to them which is worth reproduction: "The amount of produce thus diverted (meaning the net produce of the soil) is not only large—*it is also uncertain.* The percentage itself is uncertain, varying with the views of successive Governments, and the amount actually assessed, even with the prescribed limits, is uncertain, varying with the accidents of seasons, with the character of cultivators, and with the judgment and knowledge of the Settlement service." And what is the effect of this haphazard system—a system without principle and without any approach to ascertained facts? This only: "A marked absence of adequate accumulation of capital upon the soil, and (as a consequence) of any sufficient appropriation of such capital to purposes of agricultural improvements, deficiency of stocks, of manures, of roads, of tanks, often of seeds and implements." Is not this picture faithful and true to life even to-day? In this connection it has been dinned into our ears in season and out of season that the State dues are light as compared to what landholders paid to the Mogul Emperors. It is needful in this place to give a rejoinder to this plausible statement. And it shall be given in the words of a British official himself—no other than the Hon'ble Mr. J. Cotton, now Secretary to the Government of Bengal. In his "New India," a work which every enlightened Indian should read, mark, and inwardly digest, he observes: "Our Mogul predecessors were content to levy the state demand by simple processes which had grown imperceptibly with the administra-

tion and were sanctioned by immense usage. The harshness and cruelty of the Mogul tax-gatherers, on which we are too prone to dwell, were tempered by the contingency of migration which effectually acted as a check upon oppressive landlords. The rapacity of Oriental despotism was restrained by the self-interest of those who were employed on the assessment and collection of taxes." But it is of no use further burdening this Introduction with observations of authority on authority as to the ill-advised and mischievous system of periodically exacting increased land revenue from a peasantry far from prosperous and a considerable portion of whom are the subject of constant anxiety to the State. Sufficient it is to conclude this part of the Conference topic with Mr. Cotton's remarkable pronouncement: "The ryots cry aloud for bread, and we have given them a volume of new laws to comfort them. The statute book grows exceedingly. From an object of wonder it has become an object of suspicion and distrust."

Coming to the Second resolution on the rules regarding the new Provincial Service, it may be truly observed that no delegate could have done greater justice to the subject than Professor G. K. Gokhle of Poona. He brought to bear upon it the result of his own wide reading and knowledge. The official literature is not ample. It is, besides, obscure. And it bespeaks not a little to his credit that he grappled the difficult subject with a grasp and a mastery of details which are so essential to the rising politician intent on serving his country. It is of no use tracing the origin of the Provincial Service which must be read in the blue book regarding the Public Service Commission and the correspondence and despatches of Her Majesty's Secretary of State for India. But it may be pointed out here why the proposed rules are so unsatisfactory. Firstly, because the recruitment to the Provincial Service was originally intended to be by open competition. The Government, however, has relegated the competitive principle to a subordinate position. The competitive principle, it should be remembered, was demanded because it was understood that the men entering the Service would, in the ordinary course, rise to become Collectors and Sessions Judges, and be placed on a footing of equality with those who had passed the Covenanted Civil Service examination. But it would seem as if the object of the Government were to stamp this Service as a distinctly inferior service. Hence the following "ridiculous" tests have been proposed. In the words of the proposer of the Resolution, "on the literary side they should pass in one of the vernaculars of the Presidency and should have sufficient knowledge of English to write and understand official reports (!); on the mathematical side they are to pass in arithmetic up to simple interest, algebra up to simple equations, and the first two books of Euclid (!!); on the historical side they are to read a brief history of England and a brief history of India, and in addition they are to choose one optional subject" (!!!). The test is even inferior to the Matriculation standard of our University! It is to be hoped that after the healthy criticism passed by the Conference and the Press—English and Vernacular—the Government will reconsider the rules and endeavour to prescribe a standard which shall in no way be considered inferior to the standard under which Civilians pass their examinations in London.

Mr. Wacha moved the Third resolution, which was divided into two parts, the first reaffirming all that had been stated at the Ahmedabad Conference touching the

unfair distribution of the eight elective seats at the Legislative Council and the serious and unfortunate omission of the Central division from enfranchisement, while the second part related to the unsatisfactory manner of the replies by the Executive at the August sittings of the Legislative Council to the interpellations of non-official members, and the arbitrary manner in which the President in Council endeavoured to stifle the voice of the representatives of the people on grave questions of provincial finance, specially land revenue. The subject may be said to have been completely threshed out, and it is of no use encumbering these pages with a reiteration of the arguments with which the delegates and the public are now so familiar. Let us hope that the criticism has been taken by the Government in good part, and that with the change of a more sympathetic and liberal-minded ruler at the head of the Administration, the elect of the people in the Council may not have to complain again of closure and arbitrary rulings, and that a more generous spirit will be shown in the redistribution of seats whenever it comes to be again arranged. Meanwhile the exhaustive criticisms of the various speakers to this important resolution will, it is presumed, be read with profit. With the third resolution the proceedings of the Conference on the second day came to be adjourned. But, inasmuch as three more important resolutions remained to be closely discussed, the third day's sittings were commenced early in the morning of Sunday, the 4th November, at 8-30.

The Hon'ble Mr. Chimanlal H. Setalvad, whose legislative combats have made him not an inconspicuous figure on public platforms, opened the third day's proceedings by moving the Fourth or Omnibus resolution. This *olla podrida* of resolutions passed at previous Conferences seems to be relished the more stuff there is mixed in it. At any rate, judging from the notice it drew from a variety of speakers on a variety of subjects, it is clear that the omnibus resolution has lost none of its interest. On the contrary, it seemed to have derived additional freshness from the different points of view presented by each of the speakers. It is a question however, whether at future Conferences some of the resolutions embraced by the omnibus may not be conveniently dropped to make way for new ones of special importance, but which could not, for want of the necessary time, be discussed by themselves. Considering the gravity of such a resolution as the one on the separation of judicial and executive functions, it would have been a public advantage had it been moved separately so as to elicit further fresh discussion. However, it must be said to the credit of the mover that, within the extremely limited time at his disposal, he did ample justice to this particular topic of the day. He pointed out that the necessity of the separation was now recognised, though rather tardily. But the authorities still shelved it on account of its so-called cost. But Mr. Chimanlal gave a pertinent rejoinder to this, which elicited cries of "shame, shame" from the entire audience. He said, "There is money sufficient, gentlemen, to waste on exchange compensation, on gubernatorial tours, durbars, and grand tamashas, but there is no money to carry out this urgent reform." Mr. Mehta in his scheme, submitted at the Ahmedabad Conference, pointed out that the separation could be effected at a very trifling additional cost—that is, by transfer of the magisterial work to the subordinate judges. But for some reason or other the Government has looked askance at it and has evaded giving a categorical answer to the reform so urgently demanded by the entire public. After having given

" one more " instance of the mischief arising from the dual functions as now prevailing, Mr. Chimanlal expressed the hope that this reform would no longer be delayed.

Mr. Wacha then reviewed the question of village sanitation, remarking on the usual characteristic of all bureaucratic governments never to be guided by enlightened public opinion till the march of time and the Nemesis of events forced them to acknowledge the justice of that opinion. Exactly the same thing had happened with regard to the Village Sanitation Act. The Presidency Association and other bodies objected to some of the clauses referring to local cesses and voluntary contributions so called. The last were a misnomer. They were something like the old *Veith* system. " The district officer comes round, calls the men of the village together, and partly by bullying and partly by flattery gets them to consent to pay a contribution. It is then said that such and such a village has given its contribution *voluntarily*, and it is held up in district reports as an example to other villages! But there is something behind in the same way as there is something behind when hole-and-corner meetings are held to promote subscriptions for statues to retiring Governors and others—something behind as in the case of Lord Lansdowne's statue, about which the poor princes were screwed and screwed till money was wrung out of them." Mr. Wacha further remarked that "it is always the way with the bureaucracy. They will not believe what we tell them until they can no longer shut their eyes to the fact. It is just the same with regard to military expenditure." Referring to the police, he severely criticised the conduct of that force : " The Government are bent upon having a strong police organisation everywhere, which means more money and less efficiency, as has been proved in the cases of Wai, Yeola, and Poona." The expenditure on police in the Presidency was growing—growing larger per head of the population than in the sister Presidencies of Bengal and Madras. The expenditure had risen from 40 lakhs in 1889 to 56 lakhs in 1893. After referring to the recent abkari policy of the Government and the exposure made by Mr. Dantra in a series of able letters on the Khandesh farm, Mr. Wacha eulogised the forest policy of the Government of India as enunciated in the eleventh and fourteenth paragraphs of its recent resolution, and hoped that the new forest policy will be carried out to the satisfaction of the people in practice. How far, however, this policy for many a year past has been a fruitful source of vexation and hardship to the forest agriculturists as well as to the wealthy owners of private forests, was well depicted in an able speech full of incontrovertible facts by Mr. N. K. Gharat of Alibag, than whom none seems to have understood this question better. He deplored that forest laws had well nigh extinguished the privileges of the people. Nay more. They had been so cruelly strained by those administering them that " even the farmers' domestic animals are practically deprived of pasture for grazing." Mr. Dantra, that David of the interests of the consumers of the healthy and innocuous spirit, toddy, against the Goliaths of the rich and powerful interests of the mowra farming monopolists supported the resolution in a lengthened speech, in which he dilated at length with praiseworthy industry on the evils of the farming system. Him followed that thoughtful delegate from Ahmedabad, Mr. Benjamin, who, in a neat speech, denounced the growing drink traffic in his city and descanted on the subject of village sanitation. Mr. Dhamanker of Alibag

went minutely into the particulars of hardship inflicted on agriculturists by certain forest rules. Other speakers also spoke bitterly regarding their operation, which showed how keenly all over the Presidency was felt the iron grip of the Forest officials.

The next resolution referred to the injustice of the Customs authorities towards dealers in the indigenous tobacco industry. Perhaps the best way to give a complete idea of this local grievance would be to quote the resolution. "This Conference is of opinion that (*a*) offenders against the Tobacco Act should be tried by regularly constituted magisterial tribunals, when they can fully avail themselves of professional assistance, instead of being tried, as at present, before departmental tribunals, where they are denied such assistance; (b) definite and sympathetic rules should be laid down and announced for the transfer of licenses after the decease of license-holders to their heirs and relations who may be solely dependent upon them for maintenance and support; and (*c*) rules and regulations of the Tobacco Department should, in general, be so worked as to minimise, as far as possible, the existing hardships of country tobacco dealers. The speakers were all experts in the trade and spoke from their personal knowledge of the arbitrary manner in which offences under the Tobacco Act are dealt with. Attention was drawn to their grievances by means of interpellations in the Legislative Council, but the response was of the usual departmental character. Suffice to say that the conduct of those entrusted with the administration of tobacco licenses is open to criticism. And the sooner the Government leaves tobacco offences to be tried by properly-constituted tribunals, instead of by Customs underlings sadly wanting in knowledge of the law, the better.

The Sixth resolution referred to the amendments in the Deccan Agriculturists' Relief Act and complained that "the chief executive and administrative reforms suggested by the Land Indebtedness Commission in part III of their Report as essential complements to legislative action appear to have received no consideration" at the hands of Government. It further observed that, so long as the above reforms are not carried out and the rigidity of the collection of revenue is not relaxed in favour of the ryots and more credit facilities are not provided, the agrarian problem will remain what it has been hitherto—a source of anxiety to Government and of distress and impoverishment to the ryots. Rao Bahadur Bhide of Poona moved the resolution in a very thoughtful speech full of personal knowledge of the working of the Act. It is indeed a matter of deep regret that though the Act has now been amended, it hardly touches even the fringe of the great question to which the resolution refers. Mr. Mehta pointedly drew the attention of the Government of India to the matter, who have promised to deal with it after having first legislated for the Central Provinces. It remains to be seen when it may fulfil its promise. No doubt the subject is beset with vast difficulty. At the same time, unless the Government is prepared boldly to face the great problem, it is to be feared all attempts at mere palliatives will prove abortive.

The Seventh resolution referred to the iniquity of the Army Medical Service appropriating all appointments in the Medical department not properly appertaining to the Army—specially College professorships—and the expediency of detaching the higher Civil Medical Service from the Military Medical Service. It also dwelt

on the necessity of reorganisation of the Chemical Analyser's department, which was now at sixes and sevens. Dr. Bahadurji, in an eloquent and able speech, expatiated at length on the many anomalies of the Medical Service as at present constituted and the scandals and jobs arising therefrom. The speech is full of valuable information and facts of the highest interest to the enlightened public, and it is to be hoped it would never be allowed to be dropped till the reforms which he properly advocates are granted. Dr. Benjamin ably supported the resolution and fairly advocated the grievances of Hospital Assistants, who are at present most scurvily treated.

Mr. Rustim K. R. Kama moved the Eighth resolution on education in general and higher education in particular. The speech must be read in its entirety in order to comprehend exactly the present attitude of the Local Government in reference to education. It will be found that, even after the elaborate apology made by Lord Harris at the University Convocation on the 13th February, there is a strong case for pegging away at this important question. Dr. Deshmook ably seconded the resolution, excellently supported by Messrs. Bhatt and Javeri.

The remaining resolutions were of a formal character and require no notice.

The President brought the proceedings of the Conference to a close by delivering a short address, which was full of interest. It is to be earnestly hoped that the Government of Bombay, with a statesman of the liberal-mindedness of Lord Sandhurst, nurtured in the traditions of that great Liberal party in whose van may still be considered the Right Honorable William Ewart Gladstone, will endeavour to give to the several resolutions the consideration they deserve and such practical effect to some of them, if not all, bearing in mind that the reforms embraced in them are of a crying character and cannot be allowed to remain unfulfilled for any length of time. In that hope let us bring to a close this Introduction, only reminding those in power and authority to remember, as the late Major Evans Bell shrewdly observed, that "If the Paramount Power is not content to be the head, but will insist upon playing the part of hands and feet and lungs and digestive organs—if every centre of municipal and social life is to be sacked or starved to nourish an official metropolis at Calcutta and another in London—there may for a time be a deceptive appearance of plethora, but the Constitution of the Empire will not be permanently strengthened. There will be constant danger of convulsive fits, if not of a fatal apoplexy."

February 22nd, 1895.

Seventh Provincial Conference,

Held at Bombay on 2nd, 3rd & 4th November 1894.

SUMMARY OF RESOLUTIONS.

Resolution I.

I. (*a*) *That this Conference strongly deprecates the pronounced tendency of the Survey Department to set at naught the moderating restrictions placed upon excessive enhancements by Sir Philip Wodehouse's Government Resolution of 1874 and the Legislative enactment passed in 1886 by Lord Reay's Government guaranteeing exemption of private improvements.*

(*b*) *That this Conference notes with regret that during the last five years the Local Government has not been careful in enforcing these wholesome restraints upon the work of the department, and it has in many cases over-ruled the more moderate suggestions of its own revenue officers when they were in conflict with those of the Survey Department.*

(*c*) *That, as all recent enhancements relate to the revision of original assessment fixed in times of high prices, when the methods and appliances of the department had received their full development, the only two grounds of rough work and low prices on which enhancements were made in the earlier revisions have ceased to be operative, and that it deserves the most serious consideration of Government, whether in the Konkan talukas especially more stringent limitations should not be enforced in regard to all proposals for the enhancements on individual holdings and old village groups, and whether full exemption of varkas cultivation and conversion into rice lands should not as a rule be guaranteed.*

II. That this Conference again urges upon the attention of Government the injustice of fixing the revenue survey assessments in the Devghad taluka at a rate higher than what the owners of land can recover from their tenants under the Khote Settlement, calculated as it is to practically confiscate Khote rights; and the Conference regrets that no steps have yet been taken for remedying this great evil.

Resolution II.

That this Conference regards with feelings of dismay and alarm the rules which have been drafted by the Bombay Government to regulate first admission to the recently-constituted Provincial Service inasmuch as these rules are calculated to seriously impair administrative efficiency in the Presidency by reason of (*1*) *the exclusion of the Mamlatdars from the Provincial Service;* (*2*) *the prescribing of a ridiculously-low educational test for entrance by competition; and* (*3*) *the complete*

subordination sought to be effected of the competitive principle to the principle of direct nomination by Government; and that this Conference is emphatically of opinion that the introduction of race or class considerations in the apportionment of posts in the public service is in direct opposition to the pledges given in the matter to the people of this country by Parliament in 1833 and by Her Majesty the Queen and Empress in 1858.

Resolution III.

I. (a) That this Conference re-affirms its opinion expressed last year as to the justice and expediency of allocating to non-official elective Members twelve out of the total number of twenty-five seats in the Enlarged Provincial Legislative Council.

(b) That this Conference places on record its deep regret that the Municipalities and Local Boards in so important a division as the Central Division, as also of Sind, have been left absolutely unrepresented in the Enlarged Council, while other minor interests, like those of the European mercantile community, have been allowed over-representation.

(c) That this Conference expresses its earnest hope that Government will see its way at an early date so to amend the present rules as to secure equality of privileges in the matter to the Municipalities and Local Boards in the different parts of the Presidency.

II. (a) That this Conference views with regret the unsatisfactory manner in which replies are generally made to questions put by Honourable Members in the local Legislative Council, thus defeating the wholesome object with which the privilege of interpellation has been granted in the Amended Councils Act, 1892.

(b) That, in the opinion of this Conference, it is highly desirable and most expedient in public interests that the rules laid down regarding interpellation under the Amended Councils Act, 1892, should be so modified as to enable Honourable Members to preface their questions by brief explanatory observations.

(c) That this Conference is of opinion that, under the rules of debate prescribed for the Legislative Councils, the Provincial Council is the fittest and the most legitimate place where, on the presentation of the Provincial Budget, could be discussed, with appropriateness and due responsibility, all questions affecting land revenue, excise, salt, assessed taxes, provincial rates, registration and forests, and the administrative policy respectively governing them, so far as that policy is directly or indirectly under the control of the Provincial Government; and that it is highly prejudicial to public interest to curb such debate by interpreting the said rules in an extremely narrow and illiberal spirit.

Resolution IV (Omnibus).

That this Conference re-affirms its resolutions of the previous years on the subjects of salt, police, abkari, forests, local self-government, and village sanitation, and separation of judicial and executive functions, but in doing so it expresses its satisfaction at the recent enunciation of the policy of the Government of India in regard to forests, and hopes the spirit of the Resolution will be loyally carried out.

Resolution V.

This Conference is of opinion that (a) offenders against the Tobacco Act should be tried by regularly-constituted magisterial tribunals where they can fully avail themselves of professional assistance, instead of being tried, as at present, before departmental tribunals where they are denied such assistance; (b) definite and sympathetic rules should be laid down and announced for the transfer of licenses after the decease of license-holders to their heirs and relations who may be solely dependent upon them for maintenance and support; (c) rules and regulations of the Tobacco Department should, in general, be so worked as to minimise, as far as possible, the existing hardships of country tobacco-dealers.

Resolution VI.

That this Conference notes with concern that, notwithstanding the deliberate expression of opinion on the part of the late Viceroy and of Sir W. Hunter and other authorities, the Government of India contemplates an early amendment of the Deccan Agriculturists Relief Act in very minor particulars only, while the chief executive and administrative reforms suggested by the Land Indebtedness Commission in Part III of their report as essential complements to legislative action appear to have received no consideration. This Conference is of opinion that, as long as these reforms are not carried out and the rigidity of collection of revenue is not relaxed in favour of the ryots, and the high pressure of enhanced assessment is not reduced and more credit facilities are not provided, the agrarian problem will remain, what it has been hitherto, a source of anxiety to Government and of distress and impoverishment to the ryots notwithstanding any amendment of the Relief Act.

Resolution VII.

(a) That, whilst re-affirming its resolution of last year on the subject of medical education and civil medical administration to the effect that, in the interests of medical education, the profession, and the public, and of the several medical departments of the State, no less than of economy, it was time that the higher Civil Medical Service was no longer a branch of the Military Indian Medical Service and with appointments exclusively confined to members of the Military Service and made to suit the convenience of such service, but formed a distinct and independent service by itself in which appointments were thrown open to the general profession and made, on the ground of special merit and training only, to meet the requirements of its various departments of education, science, and sanitation, this Conference is strongly of opinion that the very unsatisfactory position and prospects of members of the Subordinate Civil Medical Service, of Assistant Surgeons and Hospital Assistants, compared with members of similar standing in other departments of the public service require thorough investigation and redress, and pray that Government will grant for the purpose an open inquiry by a mixed Commission of official and non-official members.

(b) That, whilst this Conference views with satisfaction the desire of the Imperial Government to re-organise the Chemical Analyser's Department with a view to its administration as an independent scientific department, it earnestly hopes that Government will not fail to recognise the responsible and meritorious work of Assistant or, as they in reality are, Government Chemical Analysers, and place them on a footing of specialists.

Resolution VIII.

(*a*) *That this Conference regrets that adequate steps have not yet been taken to carry out the recommendation of the Education Commission to revise the antiquated standards now obtaining in primary schools, and strongly urges upon Government the necessity of introducing in those standards the important subjects of drawing, elementary science, and manual work, and of providing the necessary models, apparatus, and tools for that purpose, and lastly of bringing about a thorough improvement in the syllabuses and methods followed in the Training Colleges, so as to prepare really efficient teachers for conducting the work of primary education in a proper spirit.*

(*b*) *That this Conference is of opinion that the present agricultural and drawing classes attached to high schools are not fulfilling their purpose adequately, and strongly urges the necessity of framing a systematic grant-in-aid code for encouraging the establishment and maintenance of Science, Art, and Technical Schools by Municipalities and other Local Bodies, on the lines of the South Kensington and City and Guilds of London Technical Institute Regulations. That a Committee, consisting of the Hon'ble Rao Bahadur Ranchhodlal Chhotalal, C.I.E., the Hon'ble Mr. Javerilal Umiashankar Yajnik, Mr. D. E. Wacha, Dr. M. G. Deshmukh, and Mr. T. K. Gajjar, with the last two gentlemen as Secretaries, be appointed to submit practical proposals for carrying out the above object, and to move Municipalities and other Local Bodies, as well as Native States, to establish Science, Art, and Technical Schools, and formulate standards and courses of instruction suitable to the requirements of each locality and to take all such measures as they may deem necessary for the furtherance of the above object.*

(*c*) *That this Conference puts on record its satisfaction at steps having been taken by Government to increase the salaries of primary school teachers, but urges that Government will be pleased to carry out this reform without diminishing the present number of primary schools.*

(*d*) *That this Conference puts on record its sense of gratitude and satisfaction at the declaration made by His Excellency the Governor at Dharwar of the desirability of free primary education in this country, and this Conference trusts that His Excellency will, before the expiry of his term of office, take some measures in the direction of conferring the boon of free primary education on the people of this country as is the case in England under the Education Act of* 1891.

(*e*) *That this Conference is of opinion that the rules framed by Government under Section* 24 *of Bombay Act, VI of 1873, should be so revised as* (1) *to leave the Municipalities at liberty to make primary education in their schools completely free to all, or at least to all that are really unable to pay for it, without any distinction of caste or creed ;* (2) *to allow the Municipalities to fix their own percentages of free studentships and scholarships ;* (3) *to remove all restrictions regarding the distribution of free studentships and scholarships between the various classes, except that preference be given to pupils of backward classes; and* (4) *to allow the various Municipalities to determine for themselves, subject to the control of local educational officers, what classes other than Mahomedans should, according to local circumstances, be grouped with the backward classes.*

That this Conference is further of opinion that no hard-and-fast restrictions regarding free studentships or scholarships should be laid down in the case of aided schools and especially those aided by Municipalities.

Resolution IX.

That the meeting of the next Provincial Conference be held in Belgaum and that Mr. D. E. Wacha, Mr. A. M. Dharamsi, the Hon'ble Mr. V. R. Nathu, and Mr. Chhatre be the Honorary Secretaries of the next Provincial Conference.

Resolution X.

That the best thanks of the Conference be given to the Reception Committee and the Honorary Secretaries.

Resolution XI.

That a hearty vote of thanks be accorded to the President for his able conduct in the Chair.

JAVERILAL UMIASHANKER YAJNIK,

President.

REPORT OF THE PROCEEDINGS
OF THE
Seventh Provincial Conference
HELD IN BOMBAY
On the 2nd, 3rd, & 4th November 1894.

FIRST DAY'S PROCEEDINGS.

The first meeting of the Seventh Provincial Conference was held on the afternoon of Friday, November 2, in the large hall of the Framjee Cowasjee Institute, Dhobie Talao, Bombay, a large number of delegates* representing all parts of the Bombay Presidency being present.

*Vide Appendix A.

At 4 p.m., the time announced for the meeting, Mr. Currimbhoy Ebrahim (Bombay), the Chairman of the Reception Committee, rose and welcomed the assembled delegates as follows in a neat and brief speech :—

GENTLEMEN,

On behalf of the Reception Committee I beg to tender to all the delegates of the Seventh Provincial Conference a hearty and sincere welcome. In doing so, I cannot, however, refrain from expressing the feeling which is uppermost in my mind that it would have been a matter of greater satisfaction had the honour of filling the chair I now occupy been conferred by the Committee on a gentleman every way more qualified than myself in the public affairs of this great Presidency. Gentlemen, I have merely taken a silent interest in public affairs, and not being accustomed to public speaking you should not expect from me a long speech. I trust you will, therefore, excuse my shortcomings. But I dare say the hon'ble gentleman who will preside at your deliberations will more than compensate you for my shortcomings by his interesting and instructive address. His known antecedents are a sufficient guarantee of a sober exposition of facts and statements relating to the welfare of the people of this Presidency. Gentlemen, you will have to discuss several important subjects, and I am sure that sensible and practical men as you all are, you will bring to your deliberations that sobriety, soundness of judgment, calmness and moderation which are so necessary in all public discussions. I have no doubt that our rulers who are well intentioned and solicitous of our welfare, will give to the deliberations of this Conference the weight and attention they deserve, and will endeavour to redress our legitmate grievances so far as it may be in their power to do so. Gentlemen, I again bid you a hearty welcome, and tender you on behalf of the Reception Committee our sincere thanks for the honour you have done us. I will now read to you a telegram I have received from the Hon'ble Mr. Mehta (*Cheers*) from Matheran expressing his inability to attend the meeting on account of his indisposition. It is as follows :—" Say before Conference my sincere regret that ill-health prevents my attending." (*Cheers.*)

Professor G. K. Gokale (Poona) then rose and said :—

GENTLEMEN,

I beg to propose that the Hon'ble Mr. Javerilal Umiashanker Yajnik be chosen to preside at this the Seventh Provincial Conference. (*Cheers.*) I believe, gentlemen, that it is the usual practice, in making a proposal of this kind, to present to the audience, if not exactly a brief biographical sketch of the President-Elect, yet something very much like it. But Mr. Javerilal is too well known to you. He has been so many years in Bombay—and those years have been years of public usefulness—that it would be simply presumptuous on my part to say anything in support of this nomination. (*Cheers.*) I am sure that the traditions of the Presidential chair will be quite safe in his hands. The first two Conferences were presided

over by the late lamented Mr. Gopalrao Hurry Deshmook ; the third by our venerable friend Raobahdur Mr. Bhide ; the fourth by Mr. Kazi Sahabudin ; the fifth by your own illustrious townsman, the Hon'ble Mr. Mehta (*Cheers*) ; and the sixth by another Mahomedan gentleman, no other than our esteemed friend, the Hon'ble Mr. Sayani. And with the Hon'ble Mr. Javerilal as President for this our Seventh Conference, I am quite sure your feeling will be that we are worthily continuing the series. (*Cheers.*) Mr. Javerilal is one of those men—now getting more and more rare—who works steadily and earnestly for the public good. He is one of those very few men in public life whose work has always been most thorough. It is unnecessary to detain you longer on the subject, and I therefore formally move that the Hon'ble Mr. Javerilal Umiashanker Yajnik be asked to preside on this occasion. (*Cheers.*)

Mr. Budrudin Abdulla Kur (Bombay) said :—In seconding the proposition I endorse all that has been said respecting Mr. Javerilal, who is well known in Bombay as a public spirited citizen, and a champion of the public cause. I am sure you will elect him unanimously. (*Cheers.*)

The motion was carried by acclamation.

The Hon'ble Mr. Javerilal, having taken the chair amidst loud applause, delivered the following address:—

GENTLEMEN,

This is the Seventh Conference at which we are met for an interchange of views on questions of provincial interest. What these questions are will be placed before you later on. Your resolutions will indicate the importance you attach to them. But whatever interest your resolutions may possess for the general public, and whatever weight they may carry, one thing is certain, and that is that the value of such a Conference as this is not to be measured so much by its Resolutions as by the opportunities it gives to delegates from different parts of this Presidency of comparing notes and exchanging ideas on matters affecting our common welfare. The advantage of looking at the same questions from new and different standpoints, as they arise from time to time, is that it dissipates many prejudices and preconceived ideas and enables us to arrive at a definite opinion on a given question on a basis of ascertained facts—an opinion which gathers strength as it commands an increasing volume of assent among us. Moreover, a Conference like this promotes social intercourse and acts as a bond of union between intelligent men residing in different parts of the Presidency and leads to the formation of acquaintances and friendships in a way which no epistolary correspondence can secure. It seems to me, gentlemen, that, in selecting me for the honor of presiding over your deliberations on this occasion, you have in a sense departed from the usual practice, which is to appoint to the office of President of the Conference held at a certain centre a gentleman residing in another centre. But, while this departure does me high honor and adds to my sense of thankfulness, it also enhances the sense of responsibility, to which I feel myself unequal. I feel strongly my own unworthiness to take up a position which has been filled by far superior men. I say this in no spirit of false humility. The attitude of my life all along has been that of a learner, not teacher. Last year, the Conference met at Ahmedabad, the ancient and historical capital of Gujarat, under the presidency of my learned and eloquent friend, the Hon. Mr. R. M. Sayani. The year before it assembled at Poona, that recognized centre of learning and intellectual activity, under the guidance of our distinguished citizen and brilliant colleague, the Hon. Mr. P. M. Mehta. And now, gentlemen, in welcoming you to Bombay, we welcome you to a City where the conditions of public life are most healthy, and where public affairs are discussed with a tolerance and freedom which have acquired for it a reputation for sobriety of which we may all

Utility of Conference.

Bombay's welcome to Delegates.

be proud. And I am quite sure your deliberations of many knotty points at this Conference will be conducted in the same traditional spirit of tolerance, fairness, and moderation, and characterised by a tone worthy of the dignity of our provincial assembly. At no time, perhaps, do public questions in this Presidency, or all over the Empire, demand more serious attention on the part of the rulers and the ruled than at the present moment. We are, no doubt, passing through critical times, and it therefore behoves us to see how we give expression to our inmost thoughts and feelings. Serenity and sobriety are the first essentials at this juncture, and no place is, I am convinced, more distinguished for a calm and dispassionate discussion than Bombay. For, what is Bombay ? Bombay is indeed a cosmopolitan City in every sense of the word. It is the centre of many-sided interests and activities, where all the forces—material, intellectual, and moral—conspire to raise it from the level of a semi-oriental city to the pinnacle of an advanced city of the West. It enjoys the position of being the second City in the Empire over which, it is justly said, the sun never sets. It is the gateway between the civilization of the East and the West. More than half the sea-borne trade of all India passes through her port. The two great trunk lines of railway, which draw the produce of the interior of central, southern, and western India to our docks, and carry back goods and merchandize to the remotest corners of the country, have their terminal points here. So closely is Bombay brought into contact with the capital cities of the world that nothing of importance passes on the Stock Exchange of London or the bourse of Paris which does not make its effects felt in the money market of Bombay. Bombay has outstripped Calcutta in the total value of her export and import trade. Our banks and merchants' firms, our princely shroffs and traders, our docks and harbour, our joint-stock institutions, industrial and others, our palatial public buildings, our hospitals and other charitable edifices, and, last, though not the least, our Municipal Corporation, Chamber of Commerce, Mill-owners' and Piece-goods Dealers' Associations—all these are so many evidences of our peaceful commercial pursuits. But the very circumstance of the city being the most thriving port of India, and the gateway of all Asia, has its disadvantages. For instance, the city has not been, and may never be, entirely free from foreign elements of turbulence and even of danger. The *budmash* classes are largely mixed up with the peaceful population. Though ordinarily controllable by the City Police, they on occasions have been known to set the law at defiance. The peace of the city is sometimes disturbed by these classes as it unfortunately was last year. Barring these occasional outbursts, one may fairly say that the attitude of the people of Bombay at large is uniformly opposed to all that savours of disorder ; while the governing instincts of self-interest and self-preservation and of respect for the common good among the upper classes are, on account of their infinite inter-relations, overpowering. Again, the controlling influences of the press are potent enough to enable our citizens to assert their usual good sense and spirit of tolerance. Let us all hope that the combined influence of these well-ordered forces may prevent a repetition of the deplorable scenes of August 1893. (*Hear, hear.*)

Critical times and Bombay's sobriety.

The commerce and institutions of Bombay.

Commercial interests being a prominent feature of Bombay life, I trust you will permit me, before I proceed to deal with the burning questions affecting our provincial welfare, to dwell for a few minutes on two legislative measures of the Imperial Government, which were introduced into the country last year. Though the closure of the mints has been in operation for the last sixteen months, it is notorious that the result so far is a dismal failure and a serious disappointment to its most enthusiastic supporters. The most to suffer by this legislative tampering with the silver currency of the country is Bombay. The Mill industry was at one stroke

Imperial measures —Closure of Mint and its mischievous effects.

crippled, and it has not yet completely recovered from the blow. It is true that our total Indian exports to gold-using countries amount to three-fourths of the total volume of our trade, and to silver-using countries only one-fourth; but the balance of the one-fourth trade has hitherto been, to a considerable extent, our salvation. The heavy shrinkage of trade with the silver-using countries, especially China, to which are exported yarns and opium, valued at 16 crores of Rupees, at once told on the sale of Council Bills; while the elements of bank and bazar speculations alike seriously aggravated the situation and embarrassed the Indian treasury by the abnormal imports of silver subsequent to, and in spite of, the closure. This silver served for some time to supply the place of Council Bills, which the Secretary of State refused to sell below a fixed minimum amount. Exchange, which had gone up at one time to 16*d.*, immediately after the closure soon dropped and remained steady as long as the Secretary of State did not test the market, but the drop set in the moment he let go the Bills for what they might fetch. During this period the imports of goods from England proceeded on an unprecedented scale. Under the altered conditions of trade in Bombay, the import trade in cotton and other goods is carried on chiefly by means of indents or orders sent by our dealers through European houses, and where the rate of exchange has not been settled on advices of purchase, but sterling bills drawn against goods have to be paid for in rupees on arrival of goods at the exchange of the day, the transactions have proved disastrous. Mr. O'Conor's returns of the exports of opium and cotton yarns and other goods during the last sixteen months to silver-using countries show how terribly the balance has turned out against us. Doubtless the trade is coming round and adjusting itself to the new conditions, but not without having inflicted most serious disasters, of which it would not be surprising to hear that the largest share has fallen to the lot of Bombay.

Unfairness of exemption of foreign Cotton fabrics from Import Duty.

The other measure of Imperial finances which has seriously affected our interests is the invidious distinction made in exempting cotton goods from the 5 per cent. import duty on general merchandise. Against this unfairness India made a protest from one end of the country to the other—a protest loud enough to be heard by any responsible body of statesmen. The protest has proved unavailing. Lancashire's vote has proved too powerful, however stoutly Mr. Fowler may repudiate the suggestion. The British Ministry has shown that, where party interests are concerned, India's interests may go to the wall. Even the declarations of statesmen responsible for the government of the country carry no weight. "There is," remarks Lord Northbrook, "one simple test which we may apply to all Indian questions. Let us never forget that it is our duty to govern India, not for our own profit and advantage, but for the benefit of the Natives of India." Nowhere is the unfairness of the levy felt more than in the taxing of raw materials for the purpose of dyeing goods. Dyed goods imported into India are free from duty, while the raw materials imported here for dyeing goods are subject to a 5 per cent. duty. With what principle of political economy is such levy consistent? But principles are put into pockets where party interests are concerned. As our friend, Mr. Hume, told us in his parting words in March last—told us very candidly—the professional politicians—Whig or Tory—who mostly compose our Ministries, however virtuous, honest, and upright in private life, "are in public life the veriest humbugs, talking like angels but ready even to do the devil's work—to sacrifice principle to party, and justice to those who are meek and politically dumb, as India is, to the exigencies of party political warfare." (*Hear, hear.*) They will bring in and carry out a measure

that they believe to be wrong merely to cut the ground from under their adversaries' feet. The time is fast drawing near to test the truth of what Mr. Hume says. The question of re-imposing duties on cotton yarns and goods hitherto excluded must be re-considered to meet the deficit, and the proposal to levy a countervailing excise duty on Indian mills which was shunted off for the moment must be faced. Believing Mr. Hume to be correct in his statement of ministerial tactics, I shall not be surprised if the re-imposition of cotton duty is synchronously accompanied by the imposition of an excise duty on our own manufactures. We have been told that Mr. Westland's visit to Bombay in July last satisfied him that practically no competition exists between Indian mills and the Lancashire factories. The goods which Bombay and Manchester turn out are of different counts and finenesses. They vary in quality and price and are consumed by a totally different class of people. You may ask, "Is the game worth the candle? Are Government prepared to face the enormous unpopularity which a measure, so manifestly unfair, is likely to evoke from one end of India to the other? Will Manchester really benefit by this policy, or will she not, on the contrary, enrich a third party, Japan, and pour into her depleted treasury what she cannot obtain for herself? What becomes, then, of the boast that in all financial questions the true interest of the people of India is the only consideration which the Government of India has to regard?" And here I may say at once, what I believe to be the case, that the people of India did not and do not desire the re-imposition of cotton duties or any import duties at all if the condition of Indian finance can dispense with it. And if the powerful influence of Manchester could be brought to bear upon the reduction of the overgrown military and civil expenditure so as to dispense with the necessity of extra taxation, we have no particular wish to see them levied again. (*Hear, hear.*)

Proposed Excise duty and its unpopularity.

In connection with the question of military expenditure it is pretty well known in well-informed circles that, when in office, Sir David Barbour fought with might and main against its perilous growth, but he was over-ruled. Removed from the shackles of office, he is now free to tell us, without any breach of official secrecy, how under the present system a Finance Minister is utterly impotent to control growing expenditure. In a paper on the Finances of India read in May last at a meeting of the Bi-metallic League he gives us a bit of his mind on the working of the system under the present constitution of the Government of India, and tersely summarises the whole situation in the following words :— "An Eastern country governed in accordance with expensive Western ideas; an immense and poor population; a narrow margin of possible additional taxation; claims for additional expenditure greatly in excess of possible additional revenue; a constant tendency for expenditure to outgrow revenue; a system of government in India favourable to the increase, and unfavourable to reduction, of expenditure; no financial control by intelligent and well-informed public opinion either in India or in England; an insufficient check on expenditure in India; a remote and imperfect control exercised from England; a revenue specially liable to fluctuations from year to year; large and growing foreign payments." Recently, Sir Auckland Colvin, the predecessor of Sir David Barbour, has confirmed the protest of Sir David Barbour in an interesting article in the October number of the *Nineteenth Century* entitled "The Perilous Growth of Indian State Expenditure," and with rare financial insight into the working of the great departments in India he shows in the clearest manner what has been the increase in revenue and expenditure of India during the past ten years (1883-84 to 1892-93).

Military Expenditure—Sir David Barbour and Sir Auckland Colvin's views.

The conclusion he comes to is that "the root of our financial difficulties is the insufficient check exercised, under the constitution of its government, by the Financial Department." It would appear that the Finance member is but one of six or seven members of Council, of whom every one, except the Viceroy and himself, is irresponsible for financial equilibrium and is directly interested in spending. Two members of Council are military men, so the military vote in Council is double that of any other department. "There is no control on expenditure from outside the Government, no fear of being turned out over an unpopular or extravagant policy." The fact is that these members of a paid bureaucracy have only a *present* interest in their work. They generally do not think of the future or of far-reaching policies as statesmen in England do. English statesmen, we are told, will feel the effects of their policy for life, and it will be felt by their children. The interest of Indian officials in India lasts only as long as they are in harness. The London *Spectator*, which is now devoting its energies to spreading sensational scares like that about the significance of tree-smearing, expressed robust common sense when it said a few short years ago: "Alone among the great states of the world, the Indian Empire is administered by men who have no interest in its future. The greatest officials—the Viceroy, the Governor, the Members of all Councils—intend, after five years of office, to depart to a distant land, where their achievements or their blunders are alike unknown, where they are lost in the crowd, and where, amidst the movement of a more vivid and intellectual civilization, they half forget the affairs of the secluded and monotonous peninsula they have helped to govern." We should be doing injustice to Sir Auckland Colvin did we omit to thank him on our behalf for the candour with which he notices the work done by the Indian Congress Committee in England to bring, in however humble a way, the condition of our finances before Parliament. "The body," says Sir Auckland Colvin, "which calls itself the Indian National Congress has not hitherto shown itself, in my judgment, very practical in its suggestions. But *it is difficult to differ with a great deal of what it has to say in this matter of expenditure.* If this paper correctly interprets the meaning of the figures which are embodied in it, it shows that there are good grounds for the assertion in the recent 'Note' presented to Parliament by Sir William Wedderburn, which shews that IT IS MORE THE GROWTH OF EXPENDITURE THAN THE FALL IN EXCHANGE WHICH HAS led to the present DIFFICULTIES. The charges on account of exchange have become mainly formidable because the administrative expenditure, which has caused in chief measure the growth of those charges, has been continuously increasing." A candid confession from Sir Auckland Colvin that the perilous growth of expenditure during the past ten years more than exchange is at the root of all our troubles—an opinion strenuously held by us all through the last ten years—is perhaps the best homage that our late Finance Minister can pay to the non-official Indian opinion on this vexed question. (*Cheers.*) To us it is a matter for congratulation, not for elation. It is a lesson, however, which, I am sure, will not be lost on Mr. Westland. He need not have abused the Congress party if he could not shake the position taken up in the memorial of the Bombay Presidency Association. The British Committee took up our case on the broad lines marked out in that memorial, and though Mr. Fowler treated the "Note" of Sir William Wedderburn, Chairman of the Indian Parliamentary Committee, with scant justice, the Committee] will find reason for satisfaction in this upholding of its view by so experienced a Finance Minister as Sir Auckland Colvin; while in India no body of men will view with greater pleasure this noble veering of the official view in its favour than the Bombay Presidency Association, and,

Sir William Wedderburn's Note on the Perilous Growth of Expenditure.

Bombay Presidency Association's memorial on the same subject.

especially, its talented Honorary Secretary, my esteemed friend, Mr. Dinshaw Edulji Wacha, who has studied Indian economic and financial questions in the light in which they deserve to be studied. And I take this opportunity of expressing humbly, but emphatically, the high sense we all entertain of Mr. Wacha's critical acumen and disinterested public labours. (*Cheers.*) The opinion of Sir Auckland Colvin shows that the truth after all must ultimately prevail with sober and thoughtful minds, in spite of much official palavering, prejudice, and narrow-mindedness. Sir Auckland Colvin's standpoint is justice to the Indian tax-payer. And he ends his paper with a remark as to what are the watchwords of this justice. These, he says, are : " Retrenchment, moderation, return to old maxims of Indian administration, and justice to the Indian tax-payer ; but possibly this will not become evident so long as fresh funds can be raised from him." Here are words of wisdom which, it is to be hoped, will not only be attentively noted, but practically acted upon, by Lord Elgin's Government. (*Cheers.*)

Provincial Legislative Council.

Proceeding now to a consideration of public affairs in our own Presidency, I would first refer to provincial legislation. Our legislative sessions are growing shorter and beautifully less. We had perhaps the smallest number of meetings of the Provincial Legislative Council under the new Act of 1892 during the year. One meeting was held in this City during the last cold season and two in Poona during the late rains, lasting for about six hours in all. Only one small measure relating to the Peint territory was passed. The Municipal Balances Act—in my opinion a useless measure—which was ushered in with a blaze of trumpets during the first sessions of the new Council, has remained a dead letter on the statute book and, for aught I know, may remain so goodness knows how long. Perhaps it is just as well that it is so. It may not be long before public opinion up-country demands that the District Municipal Act of 1884 should undergo a thorough revision in the light of the experience gained during the decade. Possibly the amendments which have been suggested have not been licked into shape for approval by the local Government or higher authority preparatory to their introduction into the local legislature. Similarly, there are numerous amendments on the tapis in connection with the Municipal Act, 1888, of the Bombay City. These, too, will have to be submitted to Government as soon as the Corporation has been able to consider them. Though the sittings of the Council have been few and far between, a considerable number of administrative questions cropped up in regard to which the new privilege of interpellation has come to be exercised. The interpellations have evoked a good deal of criticism outside the Council Hall. Certain critics in our midst have nicknamed our legislative body as an "Interpellative Council." But I fail to see the justice of such an appellation. For what is the chief function of non-official members if not interpellation ? It must be remembered that, under the rules laid down by the Governor-General in Council, the scope of questions is limited only to public affairs with which the Government of the Presidency is officially connected or to matters or branches of administration under its control and for which it is responsible. As to matters which are, or have been, the subject of controversy between the Governor-General in Council or the Secretary of State and the Government of Bombay, no questions may be asked or answered except as to matters of fact. The large number of questions which were put at the recent autumn session of the Council has in some quarters been the subject of adverse comment. The

Interpellations.

number would certainly be less if the Council meetings had been more frequent. What is, however, really felt as a disadvantage to the public in regard to interpellations is that the honourable member who puts a question has no opportunity allowed him of making his object clear by way of a few prefatory remarks, so as to enable the Government to thoroughly apprehend his point of view. Nor is he permitted to say how far the answer fails to meet the query put by him. The result very often is that the replies are either vague or evasive. At any rate the public is seldom the wiser or better for the replies given. In spite of these drawbacks, however, there can be no doubt whatever of the fact that this privilege of interpellation is most valuable. It is a tolerably wholesome check on official vagaries, and acts as a powerful corrective against mal-administration and favouritism. The knowledge that an unfair act on the part of the administration, either in the districts or at headquarters, will be dragged into the light of day, cannot but operate as a powerful antidote against abuses in an official-ridden country like India, with public opinion not so strong or keen as one might expect. (*Hear, hear.*)

Vague and evasive official replies.

Threatened Disenfranchisement of Northern Division.

At one time the Municipalities of Gujarat entertained some fears that they were about to be deprived of the privilege of electing a representative of the Northern Division, as would appear from a petition addressed to Government from Ahmedabad some weeks back. There does not, however, seem any valid ground for believing that the interests of municipalities and local boards—whether in Gujarat or the Deccan or even Southern Maratha Country—have substantially suffered or received no attention. Even the unenfranchised Central Division does not, I am sure, feel that the omission in its case should be supplied at the expense of Gujarat. The prayer of the Central Division I consider most legitimate and fair, in spite of the reception the Deccan has recently met with from Lord Harris. When the present rules are revised, the way to gratify the desire of the Deccan will, let us hope, be found, not by depriving Gujarat of its privilege, but by either creating a new seat or transferring a seat from a province where its present preponderance has not brought out any distinct advantages. The other most valuable privilege conferred by the new Act relates to the discussion of the Provincial Budget. The value of the privilege depends, I need hardly say, on the force of reasoned truths which are brought to bear on the discussion. Sir David Barbour, in his paper on "Indian Finances" referred to before, remarks: "The number of men—official and non-official, English and Indian—who are possessed at any one time of sufficient information to give a sound opinion on the general condition of Indian finance might easily be counted on the fingers of one hand." The remark is most true. If it has force in reference to imperial finance, it has much greater force and applicability to provincial finance. Neither among officials nor among non-officials are we able to point with confidence to men who could be thoroughly relied upon to give us a sound opinion on the general condition of provincial finance. In saying this, I mean no disrespect to the honourable gentlemen who are in charge of provincial finance in different parts of the country. It is not state book-keeping in this or that presidency about which there is anything to complain of. It is statesmanship, more than book-keeping, that is needed. It is much to be feared that a systematic study of the principles on which public finance should be practically carried out is almost non-existent in India.

Re-distribution of seats.

Privilege of discussing Provincial Budget.

Wanted financial statesmanship, and not book-keeping.

Principles are often cast to the winds where increase of revenue is the only consideration. Political economy is oftener than not in violent conflict with proposed remedial financial measures. But it is impossible to overhaul Indian finance, both imperial and provincial, unless we are more fortunate in future in having trained financiers. The official members have perhaps neither the leisure nor the inclination for a critical study. And what about the non-officials? Most of them are busy men occupied with their own concerns and cannot afford the time and trouble for a critical study of financial problems, though they may give a general opinion on the merits of any case put before them. Well-informed criticism is as much the result of special training as skill in any other department of knowledge. It seems to me that it would greatly facilitate the discussion of our Provincial Budget if what are called "Budget Notes," prepared by the Accountant-General for the information of the local Government, were made available at least to honourable members, if not to the public at large. These "Notes," I am informed, give detailed explanations as to the increases or decreases in major items on the income and expenditure sides. They contain hardly anything which, to my knowledge, can be regarded as of a secret or confidential nature. (*Hear, hear.*)

Imperial benevolences to meet current year's deficit from Provincial Surpluses.

As the Hon'ble Mr. Trevor remarked in his first financial statement, the preparation of a provincial statement does not, as a rule, present any special features of difficulty for the reason that the income is not affected by exchange and other difficulties which embarrass Imperial finance. It is true that last year pressure wholly outside the provincial budget was put in the shape of benevolences to the Imperial Government for exchange compensation allowance and a special contribution, which, in the case of the Bombay Presidency, came to over six lakhs for the current financial year. Owing to this outside pressure of about 13 lakhs of rupees, the adjustment of the normal expenditure to the normal revenue has not been found possible without a reduction of the public works allotment and without bringing down the balance to a minimum of 25 lakhs. The five years' "contract" under the decentralization system assigns certain receipts in fixed proportions between Local and Supreme Governments and no new expenditure can be incurred or taxes levied without the sanction of the Imperial Government. The Government of India gets most of its revenue from the Provincial Governments with which it thus shares, the collection of such revenue being made by the local Governments and Administrations. Under such arrangements it will be seen that in the Imperial Budget there is hardly much room left for a criticism of the receipt side. In the Provincial Budget, however, the receipt side, which indicates the burdens of the people, deserves as careful a scrutiny as the expenditure side. Land revenue, salt, abkari, income-tax, provincial rates, registration, stamps, and forest are the milch-cows to Government. At the same time most of these are sources of uneasiness to the people who have to pay the taxes. At the last Budget discussions in Poona an incident occurred which deserves notice on account of an important principle sought to be laid down by His Excellency the President in Council, which, if it correctly interprets the rules of debate is likely to stifle useful discussion. I regret that the incident has a certain personal reference, but the point involved is of such vital public importance that I trust you will leave the personal element aside and consider the question on its merits alone. In the debate on the Budget I was referring to the item of land revenue, the first and foremost item on the

The President's ruling at the late sittings of the Legislative Council—Members estopped from discussing the land revenue.

income side of the Budget, and I wished to question the policy of Government which brought in a yearly increase of some ten lakhs of rupees to the state out of the pockets of a confessedly indebted peasantry in opposition to the limits of enhancement declared by the Bombay Government from time to time and confirmed by the Secretary of State. In drawing attention to this point, I believed I was strictly within the rules of debate. I had hardly proceeded with my preliminary remarks when it was pointed out to me by His Excellency the President that I was out of order inasmuch as the point on which I was dwelling was not germane to the budget item under consideration. His Excellency, at the conclusion of the debate, invoked the help of honourable members in his humane effort to save me from being drowned in the sea of irrelevancy into which I was taken to have fallen. You may imagine my surprise that the exponents of public opinion in the daily English press of Bombay, who may be expected to interpret the rules more liberally, unhesitatingly endorsed the view of the President. It was reserved for the Calcutta *Statesman*, among Anglo-Indian papers, to sift the question on its merits. The vernacular press, be it said to its credit, took a candid and impartial view of this point. Lest I might have the misfortune to misconceive the meaning of His Excellency, I will quote the very words used by Lord Harris as reported in the papers. His Excellency said : " My decided opinion is that yesterday I allowed the rules to be evaded far more often than I ought to have done, and that subjects were discussed which by no possibility could be brought within the four corners of the rules which govern the Budget discussion. Now the question is whether or not honourable members should have the privilege of discussing the administrative system of the Presidency of Bombay or of other parts of India. The question is, what are the rules which govern debates upon the financial statement ? This is not the place to discuss whether or not honourable members should have the right of discussing administrative questions. If they think they are disfavoured in that matter, there are *other media* of communicating knowledge. They can give vent to their thoughts in other ways, and there are other assemblies in which they can get their own friends to raise the subject of their privileges as members of this Council. The question to be considered here is this: Are the arguments used and the subjects discussed legitimate under the rules imposed on this assembly ? It was with very great regret that I interfered with my honourable friend, Mr. Javerilal, when he was talking about such abstruse subjects as " subsoil water advantage " in Gujarat and was proceeding to read an extract from the report of a Government officer in the year 1888. But that report could not be mundane to the financial statement of this year." The points at issue between His Excellency and me are—(1) Are such items of revenue and expenditure as land, abkari, assessed taxes, forest, &c., and especially the policy governing them, legitimate subjects of discussion under the existing rules of debate ? (2) Is not the Provincial Council the place, and the annual Budget discussion the time, for a criticism on them ? Rule 5 of the rules of debate says : " The discussion will be limited to those branches of revenue and expenditure which are under the control of the Local Government, and it will not be permissible to enter upon a criticism of Imperial finance." Here the distinction between what constitutes items under the control of the Local Government and those of Imperial finance, is sufficiently clear. No one can for a moment hold that the revenue from land is not under the control of the Local Government. I go further and say that the land revenue policy in this Presidency is initiated, moulded, and finally determined by the Bombay Government in consultation with, and under the sanction of, the Secretary of State, to whom every revision settlement

report is sent for final orders. The land revenue system differs from province to province, and our survey settlement is a question entirely under the control of the local Government. The rules relating to enhancements and the conduct of the survey officials are all under the control of the Local Government.

Lord Harris's dictum opposed to that of Lord Lansdowne.

The second point to which Lord Harris referred was whether the Provincial Council was the place for criticising the administrative system of government. On this point there can perhaps be no higher authority than Lord Lansdowne himself. Remarking, in his farewell address, at the Calcutta Royal Exchange in January last, on the measure for enlarging the functions of Legislative Councils, the ex-Viceroy said : " There is no part of the scheme for which I have a greater personal responsibility than that in which this principle (of sending representatives) has been admitted. We have now a system under which the Provincial Legislature will be brought far more closely than heretofore into contact with local opinion, and under which again the non-official opinion of the local Legislatures is more closely reflected in the Imperial Council. It may be said that by this change we have greatly increased the work already thrown upon the Government of India and the Local Governments and that we are threatened with the prospects of irrelevant discussion and of the inconvenience of criticism of Government measures. In these days, however, when public opinion is allowed so large a measure of liberty in expressing itself, we cannot expect to escape discussion and criticism. If the discussion is reasonable and the criticism fair, we shall welcome them; but I hold strongly that it is better for all concerned that the critics should be responsible and should offer their criticism in the *Councils of their Provinces* or in the Council of the Viceroy, *where it can be met and replied to, and not elsewhere, where it cannot.*" (*Cheers.*) Here we have the keynote of the whole policy struck for the guidance of debates in our Legislative Councils—Viceregal and Provincial—under the new constitution in clear and unmistakeable terms. The non-official members are brought face to face in a dignified assembly with official members who are supposed to be posted up to date in the latest developments of Government measures or public policy. It is no easy thing to criticise a Government measure or a Government policy. The critic is as much on his trial before the bar of public opinion as the Government whose measures he ventures to criticise. It demands hard study, and still harder thinking, to be able to venture any criticism for the simple reason that such criticism will, in the first place, be the measure of the critic's own knowledge of a subject or his ability to deal with it in a clear and dispassionate manner. The country is large, the interests are complicated, the grievances not few, and the Government is alien. With the best intentions in the world, the Government is after all liable to err.

Non-official criticism and its value.

Reformed Councils and their use according to Lord Lansdowne.

" In a country," adds Lord Lansdowne, " with a population of 300 millions living under external rule, it is idle to expect that grievances will not arise and that dissatisfaction will not be exhibited. The best way of meeting it is to afford it a legitimate opportunity of making itself heard. I cannot resist expressing my hopes that, now that this opportunity has been provided, *the Councils will be regarded as the proper place* in which to bring forward, and in a manner befitting the occasion, complaints which are now preferred, sometimes with a good deal of recklessness, through other channels. I believe it will also be found that the views expressed by elected members will be of very great value in strengthening the hands of the Government in such cases—and we know that such cases exist where Indian interests might otherwise not obtain the consideration to which they are

entitled." One would fancy from a perusal of the above extract that the ex-Viceroy, when giving expression to these views, was addressing his audience from a Congress platform or after a careful study of Congress reports, for it often happens, as Sir Auckland Colvin's frank confession testifies, that those who openly disapprove of Congress or Conference movements do feel, when they read reports of what Congressmen have got to say, that after all there is a substantial basis of truth and justice in what they urge. Sir William Hunter tells us, in his work on "Bombay—1885 to 1890," that it was the policy of Lord Reay that "as an English Chancellor maintains personal communication in regard to the larger matters of finance with the leaders of the City, so an Indian Governor should maintain personal communication with the non-official leaders of the provinces which he administers." Where personal communications cannot be maintained, it must be regarded as only fair and reasonable if a sympathetic hearing is given to what non-official members may have to say in a provincial budget discussion. In a provincial budget like that of Bombay, nothing perhaps is more remarkable than the fact that the revenue of the Bombay Presidency has advanced 600 per cent. during the last sixty-four years. In 1830-31 it was Rs. 2,17,15,345, in 1862-63 the total receipts amounted to Rs. 7,17,86,638. From 1862-63 to 1892-93—that is to say, during the last thirty years—it has risen to over 13 crores. The items of land revenue, forest, and abkari show a growth of 365 lakhs in 1862-63 to 600 lakhs in 1892-93. Can any reasonable man say that this truly marvellous growth of revenue and the enormous pressure on the ability of the people to bear new or increasing burdens it indicates is a subject on which non-official members can have nothing to say? As the Calcutta *Statesman* truly remarked, when lately reviewing the Bombay Budget debate, "For good or for ill, the Imperial Government has frankly accepted the principle of giving the people of this country a voice in the management of its affairs; and it is neither wise, honest, nor politic to attempt to take away with the one hand what has been given by the other. To give native gentlemen seats at the Council Board and then to close their mouths to the discussion of the most vital points of the administration is a mockery to their public spirit. * * Deny them power if you will; grant it and resume it if it be wise: but do not profess to grant it and then surreptitiously resume the gift by subtle evasions and false pretences." I regret very much that I have taken up so much of your time on this point, but the question has not, as I said before, a merely local interest, but affects the privileges of Provincial Councils generally as to what items of revenue and expenditure should be allowed to be discussed or not, and that is my reason for trespassing upon your time.

The *Statesman* on Lord Harris's novel ruling.

Is not, then, the present position of Indian finance—whether provincial or imperial—calculated, I ask, to make the Indian tax-payer anxious? "Finance," said Mr. Samuel Laing, another of our Finance Ministers, in a letter to the *Times* the other day, "is the one subject of all others in which native opinion is most sensitive. Europeans cannot realize the intense suspicion and alarm with which orientals regard any attempt to levy new taxes, which come directly home to their pockets or feelings." The sensitiveness of native public opinion is not wholly groundless. No government in the world that had some regard for the feelings of its subjects would have made the blunder of putting a fresh burden of a crore of rupees on its exchequer for compensation allowance to its European and Eurasian servants at a period of grave financial crisis. Among thoughtful English-

Tax-payers' anxieties as to Imperial and Provincial finance.

men in England it is remarked that, if this concession was limited to those who entered the service of the Government of India when the rupee was at, or slightly below, par of exchange and who are now obliged to make actual remittances to England for the benefit of their families at the present low rates, it would be only fair ; but what justice or fairness can be urged in the case of compensation grants made to those who only entered recently, who are unmarried, or have no families to whom to make actual remittances ?

How to touch the economic conscience of the Imperial and Provincial Governments ?

How, then, to touch the economic conscience of the Government in India and England, so as to enforce economy in expenditure and prevent increasing burdens being laid on the people ? This is the most urgent and the most serious Indian problem of the day or, I should say, of the hour. Three remedies may be suggested as offering some solution. The first is that the British Government should guarantee the Indian debt ; the second is that the Supreme and Provincial Councils should have the right conceded to them of voting on the budgets ; while the third remedy is that India should be treated, not on the footing of a dependency, but on that of a Crown colony. The guarantee of the Indian debt by England would enlist the sympathy of the English tax-payer, and his voice would be a potent factor in ensuring economy. In regard to the second remedy, it is not proposed to alter the constitution of the present Imperial and Provincial Councils. It is not intended to disturb the present number of seats in these Councils. The official majority will continue, as at present, decisively preponderant. All that is proposed is that members may have the right of voting on items when the budget discussions come on. Generally the official votes will preponderate and the non-officials will be in a minority, but there might be cases, similar to the one which occurred last year about the cotton duties, in which the officials who could not vote according to their conscience, could do so with freedom. The votes recorded will at all events indicate the preponderance of opinion on one or other side of a question. This preponderance will generally be on the official side, but the recording of votes will be an indication to the people at large of the economic conscience of our rulers. The public will know how to appraise the value of these votes at their proper worth. The concession here demanded is but a natural and legitimate development of the principle of self-government. It is only in this way, I say, that we can touch the conscience of our rulers. The proposal about treating India as a Crown colony has this in its favour—that, like other colonies, the cost of the India Office and a portion of the Indian military expenditure in England, which at present falls on India, shall have to be borne by England. Indian expenditure so far will figure in the English budget, and in that way Indian questions will prick the conscience of the English taxpayer.

Wanted Right of voting on Budget.

Proposed re-actionary rules regarding the Provincial Service.

The rules regulating first admissions to the new Provincial Service of the Presidency, which have been framed by the Bombay Government, and which are now awaiting the final sanction of the Government of India, formed the subject of a long and well-reasoned memorial by that ever-active body, the Poona Sarvajanik Sabha, to the Government of India. The proposals, as embodied in the rules as at present drafted, are so retrograde in their character, and will prove, if carried out, so detrimental to the general interests of this Presidency and, particularly, to the interests of efficient administration, that one could hardly have conceived that they should have emanated from a responsible authority like the Government of Bombay. Coming after the unsatisfactory labours of the Public Service Commission appointed "to devise a scheme which may reasonably be hoped to possess the necessary elements of finality

and to do full justice to the claims of the people of India to higher and more extensive employment in the Public Service," and after the scheme sanctioned by the Secretary of State in his despatch No. 104, dated 12th September 1889, to the Government of India on the subject of the Commission's Report, which reduced the number and quality of the posts to be detached from the Schedule of the Act of 1861 and refused to have recourse to Parliamentary legislation in the matter, as suggested by the Commission, the new rules are not calculated to allay the fears in the public mind that the efficiency of the Public Service will be seriously impaired. The exclusion of mamlatdars from the Provincial Service and the injustice resulting therefrom to those of the graduates among them who had preferential claims in the revenue line under the terms of the Government notifications; the recruitment of the service, partly by open competition, partly by nomination on the basis of race and creed distinctions, and, in very exceptional cases, by promotion from the subordinate service; and the low standard for the competitive examination were points, among others, which were brought to the notice of the Government of India. The reply of the Government sent through Mr. Secretary W. H. Harvey in August last has been scarcely satisfactory. The Government of India finds itself unable to apply to the Bombay Presidency a different rule from that which has been accepted in other provinces where the line of demarcation between the Provincial and Subordinate Civil Services has been so drawn as to include in the latter service officers of the tehsildar class to whom the mamlatdars correspond. Now it is true that as regards the work that the mamlatdars have to do, it corresponds in some respects with the work of the tehsildars; but there is this difference between the two that, whereas the tehsildars are recruited mostly from the lowest ministerial grades and can claim no high educational attainments, the graduate mamlatdars are quite a superior body of men in general character and moral tone. The rules of 1878 practically reserved all mamlatdarships for graduates of the University, subject to certain limitations for safeguarding the interests of non-graduate mamlatdars already of considerable standing in the service. These rules were altered for the worse in subsequent years, and now the exclusion of graduate mamlatdars from the Provincial Service cannot fail to operate as a discouragement to graduates to join the revenue line. At present most of our Deputy Collectors are men who have been mamlatdars once, and they can look after the work of the mamlatdars better. The very principle for which the Government of India contend, namely, that the scheme for the Provincial Services, which has for its primary end the establishment of the Public Service on a basis of thorough efficiency, will be sacrificed, while considerations of race and creed, which should not enter into account when sound administrative work is the end to be attained, will predominate. To the second prayer of the Sabha, that the competitive test may be raised at least to the level of the B. A. Examination of the Bombay University, the reply of the Government of India is that they agree with the Bombay Government that "the system of competitive examination proposed in the draft rules" should receive a fair trial. "Under this system," the Government observe, "not only have graduates any better chance of being successful than candidates of lower educational attainments so far as the obligatory subjects of the proposed competitive test are concerned; but, in view of optional subjects, they will have all the advantage over the latter that they can properly claim." Gentlemen, I leave it to you to say how far this reasoning is sound, which puts graduates and others together on an inferior competitive examination, and how far it meets adequately the very cogent arguments in the Sabha's memorial.

Government of India's reply unsatisfactory.

Deccan Agriculturists' Relief Bill.

The Deccan Agriculturists' Relief Acts Bill is another important measure on which the Sabha offered very useful suggestions. The Bill, which was introduced last year by the Hon'ble Mr. Lee-Warner into the Supreme Legislative Council, has for its object the amendment of the existing Relief Acts. It will come on for discussion at Calcutta during the ensuing cold weather. The proposed amendment of the law is the outcome of a part of the recommendations made in the very able, elaborate, and eminently suggestive report of the Commission of 1892. These recommendations divide themselves under two heads—(1) judicial reforms and (2) executive reforms. The Commission is of opinion that the Act of itself cannot afford an adequate solution of the problem of agricultural indebtedness. In part III. of its report it recommends certain executive reforms in the direction of relaxing the rigidity of the present revenue system and showing greater liberality in the matter of granting suspensions and remissions. These forms of relief are, in the Commission's opinion, as much needed to improve the condition of the ryot as any amendment of the Act itself. The Government of Bombay objected to the recommendations touching executive reforms for the reason that the Commission had travelled beyond the scope and terms of its reference in making such recommendations. In the letter of the Bombay Government, written by the Hon'ble Mr. Lee-Warner as Secretary, the Government also observed that, if the chief of the four recommendations made by the Commission—namely, the suspension of revenue as a matter of course in bad years—were acted upon, it would be tantamount to a virtual reversion to the old system which had been tried and found wanting. It is not clear how far such fears on the part of our Government are well-founded. On the other hand the crying want in the Deccan is how best to remedy the unsuitableness of a system which aims at securing a fixed annual payment regardless of seasons which play havoc with the crops. Mr. E. C. Ozanne observes that in every cycle of eleven years five or six are bad, and the rest either good or middling. The root of the evil is more climatic than social. It does not appear that the Supreme Government have adopted the view of the Bombay Government. On the contrary, if one is to judge from what has appeared in the public prints of this Presidency, the late Viceroy, prior to his retirement from the government of this country, had placed on record a minute reviewing the Commission's report and dealing with the problem of agricultural indebtedness. In this minute the ex-Viceroy emphasises the grave nature of this problem of agricultural indebtedness and the danger likely to arise from indifference in grappling with it by executive action. In his opinion any amendment of the Relief Act would touch merely the fringe of this serious problem. No legislative interference will be effective until the question is taken up as one of executive administration. But the Hon'ble Mr. Lee-Warner, the same gentleman who, as Secretary to Government, signed the letter of protest on behalf of the Bombay Government, in moving the introduction of the Bill in the Supreme Council last year, said that the proposed Bill is not intended to give effect to "the larger projects recommended by the Commission," and that its chief object is to invest the Local Government with power to introduce the Act in any part or parts of a district without extending it to the whole district. Now it is a fact, as the Sabha points out, that the existing Act gives full authority to the Local Government to extend the provisions of the Act to any district in the Presidency with the previous sanction of the Governor-General in Council. But it is urged that the "physical and agricultural condition of various talukas in the same district differs greatly," and as the Government of Bombay desire to extend the Act only to those areas where it

Supreme Government's views in conflict with those of the Bombay Government.

Poona Sarvajanik Sabha's contentions.

may be really needed, an amendment of the Act becomes necessary. The force of this contention is not denied, but this is a very insignificant matter compared to the graver question of how best to deal with the growing agricultural indebtedness on which the late Viceroy has expressed so strongly and in no uncertain sound. When the Amendment Bill comes on for consideration before the Supreme Legislature, I am sure our honourable friends, the non-official members, will want to know definitely what opinions the ex-Viceroy has left on record. His views must doubtless have been based on the evidence of the expert witnesses examined by the Commission. Strange as it may appear, this expert evidence is not to be found in the report of the Commission. Appendix I. of the report indeed gives abstracts of the evidence taken by the Commission whilst on tour in the Poona, Ahmednagar, Sholapur, and Satara Districts. But the evidence of the expert witnesses, such as the District Judges, the Assistant Judge, the Special Judge and his Subordinates, whose names are given in Appendix II. of the evidence, is not given in the report. When it is considered that it was on this expert evidence that the Commission based its recommendations, and on which the ex-Viceroy relied in recording his important minute, that it is this evidence to which the public in India would look for forming its opinion as to whether executive reforms are more needed than civil legislation in dealing with the complicated problem of agricultural indebtedness, some idea may be formed of the necessity of placing such evidence before the world. I notice that Sir William Wedderburn moved the Secretary of State for India for a return of this expert evidence, but so far it has not been forthcoming. It will be to some purpose if some honourable non-official member of the Supreme Council move for these papers before the Council proceeds to consider the amendment of the Deccan Relief Acts.

Opinions of members of Viceroy's Council.

New Forest Policy approved.

From the land question to the forest is an easy transition. I was about to refer to the rules recently introduced into the Deccan and Konkan Districts regulating the number of cattle for which a cultivator may claim free grazing and the charge of fees for such of his cattle as are not employed in agricultural work ; but it seems to me that we would do well to await the effect of the recent resolution of the Government of India of 19th October last on the present rules which are a source of petty persecutions and harassments on the part of a low-paid subordinate agency to the poor ryot. It is a resolution which, if faithfully followed, should, in my humble opinion, greatly allay the dissatisfaction regarding the operations of the Forest Act now prevalent in all the districts of this presidency. The Government of India deserves the cordial thanks of the public for its renewed declaration of the true policy which should actuate subordinate administrations in conserving forests. The first public act of the Earl of Elgin needs to be hailed with satisfaction in all parts of the country. (*Cheers.*) Let us devoutly hope that it is the glad harbinger of a new departure in the administrative policy of the Government—a policy of sympathy in every way calculated to allay unrest and promote contentment among the dumb masses. (*Cheers.*)

Policy of the Bureaucracy.

That the comments on Government measures should be unacceptable and even intolerable to the officials generally is not a matter for surprise. It is so all the world over. But what the bureaucracy in India has to consider is that the conditions among us twenty or thirty years ago were different from what they are at present. Even this city of Bombay will be found to be different to-day from what it was five years ago. The great merit of the founders of the Indian Empire and of those who consolidated it was that they fully understood and grasped the circumstances

around them and realised what the necessities of the times were. They looked before as they looked back. What their successors have most to remember is that India is not the stationary country it once was. The world moves on, and so is India moving under the fostering care of the British Government. Moral forces are at work which bring about a moral unity among the people under the action, nay, often against the will, of the British Government itself. New circumstances arise and new developments take place. Such new developments bring new difficulties in their train. Such difficulties are becoming serious enough. But can any reasonable, thoughtful person believe that the resources of British statesmanship cannot cope with them? (*Hear, hear.*) Can any one believe that the successors of eminent Anglo-Indian statesmen, like the Elphinstones and the Munroes, the Metcalfes and the Earls Canning and Ripon, who have succeeded to the mighty inheritance left by them, cannot rise to the height of the situation and work in the spirit of the times in which they live? (*Cheers.*) New difficulties must make new and vigorous demands upon their intelligence and statesmanship. Their highest statesmanship consists in reading correctly the signs of the times, not in decrying them, not in making light of them, but in considering how best they can be met—in short, in a policy of conciliation and sympathy, and not of dogged obstinacy and a reliance on brute force. This changed attitude of mind on the part of the officials is, in the opinion of some observers, perhaps the most striking point of contrast observable all over the country at the present day. A policy of "divide and rule," fraught with immense mischief to the stability of British rule in India, seems to them to be in the ascendant. Even thoughtful and responsible officials have not been slow to notice it regretfully and give it a public expression. No one has doubts as to the British Government having the giant's strength, but no one at the same time would hesitate to say that it would be tyrannous and opposed to the best British traditions to use such strength like a giant. Fully realizing this, the British Government themselves have created moral forces of a self-acting nature. One of these forces is education which has made considerable advances in India. But there are some officials of eminence in India who either will not recognise this, or, if they do, think it has advanced to a dangerous extent. For instance, in an elaborate and learned paper in the last number of the Journal of the Royal Statistical Society on the conditions and prospects of popular education in India, Mr. J. A. Baines, a distinguished civilian of this Presidency and the Census Commissioner of India, while dealing chiefly with primary education, devotes a few passing remarks at the close to what he calls the highest product of the present system of education—the educated classes. Speaking of the relation which this educated class bears to the masses, the part it takes in the great life of the community, its numerical strength, how far it is predisposed to admit the rest of its gifted fellows to a share in the intellectual privileges on which it founds its claims, or how far it is inclined to perpetuate a traditional monopoly, what, again, is its attitude, not in precept, but in example, towards the deeply-seated influences that impair the general vitality of the country and cramp its energies, Mr. Baines is of opinion that "however glittering the surface that lies uppermost, it, by no means, follows that all below is gold." Mr. Baines knows that Burke is studied in colleges, so in his desire to show what a microscopic minority they are, he gratifies the educated classes by quoting the famous passage in Burke, in which that political philosopher contrasts the chinking grasshoppers under a fern with the great cattle reposing beneath the shade of the oak, who chew the cud and are silent, and who do not imagine that those who make the noise are the only inhabitants of the field. In this connection it is amusing to compare the views of

British Government has to take cognisance of new forces which have sprung up.

Opinions of Mr. Baines and Sir Charles Elliott on Education and Politics examined.

Mr. Baines with those of another eminent official, Sir Charles Elliott. Mr. Baines regards the educated classes as "pretty creepers, no doubt, but ephemeral and unproductive." His Honour the Lieut.-Governor of Bengal opens his mind to Mr. Blathwayte in *Black and White*, and remarks: "The Babu is becoming a most serious element in the population. We turn 5,000 out of our universities every year, and we can only provide Government employment for 150. The rest, therefore, are discontented, and full of complaints against the British administration." Again, "Here in Bengal dwells the educated Babu, who, with brilliant exceptions, yet, is, as a rule, discontented and disloyal." Mr. Baines has no sympathy with those who delight in putting back the clock and rubbing their hands over the appearance of retrogression; who, "in order to maintain their own position and influence, whilst the world is slipping past them, are ever croaking over a purely imaginary cessation of an advance, which, they are too conscious, will undermine their traditional interest." Sir Charles Elliott says: "Much of the hostility we meet with is due, I firmly believe, to the books we have ourselves placed in the hands of school-boys. We have fed them with the burden of Milton, Johnson, and Burke, and they have, with their great imitative faculty and pedantry, conceived that we stand to the people of India as the Stuarts and the Georges stood to the people of England." Mr. Baines looks for the solution of the problem not to any direct effort on the part of the State, of private enterprise, or of the literate classes, but to the stimulus of the steady advance of the masses in prosperity, in the educating influence of material circumstances, the opening of the mind by travel, commerce and industry, all of which are, he thinks, "in their lusty infancy." Sir Charles Elliott, on the other hand, thinks that the "Babu goes to England, is made much of, feted sometimes as though he were a prince. He returns to India full of conceit and self-sufficiency, and utterly unfitted for his old simple and natural ways." Mr. Baines protests against deception in the opposite direction by going about crowing and clapping over some figments of an *ex-parte* claim, "based on flimsy, garbled, and untested evidence, that the sun of enlightenment is standing in its blazing noon, when, in reality, it has only just reached the top of the mountain and all the immense valley below is still shrouded in the densest gloom of ignorance." I content myself here with merely presenting to you these shades of contrast in the views entertained in regard to the effects and measure of our intellectual acquirements. Mr. Baines speaks of the moral fibre of the educated classes, and considers that it has not yet been developed. "The head is growing faster than the heart." He arrives at this decision from a few stray cases of fraudulent acquisition of examination papers at the university examinations. "One boy, in a high school," says he, "who had been punished, burnt down the school and the master's house." Now, it would be as fair and correct to thus generalise and judge of the moral fibre of the educated classes in this country from such isolated cases of delinquencies as to judge of the moral character of the entire Indian Civil Service from stray cases of high-handedness, corruption and bribery, or of the Indian Medical Service from the Kissing Case which has recently become so notorious. It is enough to say that there are black sheep in every community, and the less said about its moral fibre the better for us all. Contrast this with the reply of Lord Wenlock to the address presented to him at Vizianagram by the teachers of the Maharaja's School. "I am bound," says His Excellency the Governor of Madras, "I am bound, as far as I have been able to judge, to say that the results of this education are producing nothing but good in those to whom it is given (*cheers*), especially to those who have been called upon to take part in administering the affairs of the country. Those who know this country

Approval of Lord Wenlock's statesmanlike policy.

best assure me that there has been wonderful improvement in the work of those who have been educated in this country and who are now taking a prominent part in administering its affairs. We find on all sides remarkable improvements in the intelligence they bring to bear on their work and the despatch with which they get through their work and the honesty with which they deal with their work, and I think that says a great deal for higher education in this country." So you see, gentlemen, it depends very much on the frame of mind in which you are how you estimate the character of a people. Madras has, of late, far outshone other Presidencies in questions affecting the people's rights and liberties. It is to Lord Wenlock's Government that the whole of India, and especially the educated classes, owe a deep debt of gratitude for the noble defence of simultaneous examinations in India and England. (*Cheers.*) It shows His Lordship's capacity for taking broad and sympathetic views of public questions.

Lord Dufferin's views as opposed to those of Sir Charles Elliott.

Gentlemen, we can make allowance for differences of view, but, when so shrewd, intelligent, and responsible an official as Sir Charles Elliott charges the educated classes among us with disloyalty, every educated man is bound in self-defence to indignantly and firmly repudiate the charge. (*Applause.*) On this point we can appeal to the high testimony of no less an authority than Lord Dufferin. The late Viceroy was a statesman not likely to mince matters. And what is his deliberate opinion? Speaking at the Mansion House in London after his retirement from the Government of India, Lord Dufferin observed: "I believe that, leaving out of account the absolutely ignorant, some fanatical sects, the discontented sections of society which are to be found in all communities, and individuals with a personal grievance, but including those who vituperate us in the newspapers, there is not a subject of the Queen in India, whether prince, or landholder, or merchant, or artizan, or cultivator, who is not convinced that the English administration gives him what he would get neither in an independent India nor in an India under the rule of any other power—namely, peace, security, justice, a free press, education, an enormous share in the Government appointments, a native magistracy, the conservation of the native dynasties as independent states, local self-government, the prospect of the gradual liberalization of our methods of administration, the supervision of the House of Commons, and a consciousness that English public opinion is always on the alert to notice any abuse of authority, and to temper the severity of that authoritative *régime* through which alone the vast congeries of nationalities, religions, and races inhabiting the peninsula can be effectually governed." (*Applause.*) And what has the foremost Bengali politician to say in reply to Sir Charles Elliott—I mean, the Hon'ble Surendranath Bannerjee? He says to Mr. Blathwayt: "We want to be associated *with* our rulers, not to supersede them. We want a policy of suspicion to be replaced by one of good will and confidence. We want you English here, we require you, we cannot do without you; but, above all, we ask for sympathy, sympathy, sympathy!" (*Loud cheers.*) Will Sir Charles Elliott say that language such as this breathes sentiments of disloyalty? The Indian reformer may say, in the words of the poet:

Hon'ble Surendranath's views as to impolicy of suspicion.

We want no flag, no flaunting rag,
For Liberty to fight;
We want no blaze of murderous guns,
To struggle for the right;
Our spears and swords are printed words,
The mind our battle plain;
We've won such victories before,
And so shall we again. (*Cheers.*)

The vernacular press defended against the ungenerous attacks of Sir Charles Elliott and other officials.

Sir Charles Elliott finds fault with the vernacular press. No reasonable man can say that the vernacular press is free from fault. It has its temptations of exaggerated and sensational writings. At the same time it cannot be maintained that this characteristic is the monopoly of that press. The vernacular press is a product of British rule. Journalism in India had no existence before the advent of the British rule. The power of the press for good or evil is immense. Moderation and sobriety of judgment are what one would expect the press to promote. The Indian journalist, however, follows the methods and tactics of his Anglo-Indian brother, and in trying to copy his virtues imitates at times his vices also. Bearing this in mind, Anglo-Indian journals incur no small responsibility as exponents of public opinion on Government measures and public policy. It does not promote a harmony of feeling by the pot calling the kettle black, and though the sermons of the pot to the kettle are often edifying in themselves, there are times when the coolest head and the soundest judgment are needed in helping the public to view burning questions correctly and impartially. Sensational articles and exaggerated reports of passing events appearing in Anglo-Indian journals do incalculable mischief to the people of India. The Anglo-Indian, be he a merchant, a doctor, an engineer, or a civilian in a remote part of the country, often takes his notions of things Indian from the newspapers. (*Cheers.*) He cannot be expected to verify the statements of the editor. Similarly, Anglo-Indian opinion is communicated to the leading English journals, and through them is circulated to the whole provincial press in Great Britain. When the Anglo-Indian journals put our case impartially before the Indian and the British public, our cause stands a chance of being half won. But if the nerves of the newspaper-reading public in India first and in England afterwards are played upon by some of them through exaggerated and sensational articles, you may well conceive the mischief they have the power to do. My surprise is that the British public so far has not formed a low and mean estimate of the loyalty and moral fibre of the educated classes as one would fear it might otherwise have been led to do under the influence of sensational literature constantly dished up in some Anglo-Indian newspapers. We may implore such writers not to permit their heavy artillery to bear on our inter-sectional or inter-racial interests, and if, while bringing to light our faults, they appreciate what there is of good points in us, the vernacular press will, I am firmly convinced, reciprocate the good feeling. In this way a harmony of feeling, so conducive to public interests, will be brought about. I may state here that it was thus that

R. Knight and the true functions of publicists.

that Bayard of Anglo-Indian journalism, no other than the late Mr. Robert Knight, served the interests of this country, where his memory is cherished with an esteem and a gratitude which are at once the highest proofs of his sterling honesty and independence as an interpreter between the rulers and the ruled, and I cannot refrain from quoting that editor's lofty conception of what the true functions of a journalist should be : "It cannot," said he, "be too earnestly insisted upon that journalism implies a public trust and carries with it, whether we will or not, responsibilities of a moral order. *Every journalist is, under an implied pledge to his readers that he will tell them the very truth of things as he apprehends it.* If he errs as to facts, it must be honest, unconscious error into which he has fallen, and *not the twisting and distortion of facts to suit a purpose or cause he has in hand.*" (*Hear, hear.*)

Recent Riots and the unfortunate official policy.

There is one more topic, gentlemen, which I have reserved to the conclusion of this address. It does not properly fall within the sphere of our work as members of this Conference, but circumstances have given it of late a factitious

importance which would not justify my ignoring it altogether on this occasion. Meeting, as we do, to-day in this busy city of Bombay as representatives of the educated classes from all parts of the Presidency, we have no room here for class and race feelings and differences. (*Hear, hear.*) Hindus and Mahomedans, Parsis and Christians, all join on this platform whose chief plank is one of fellowship bred in mutual sympathy and respect, and in a desire to promote our common, and not sectional, interests. (*Cheers.*) In all times and in all places, ignorance and bigotry, pride and prejudice go together, and there are some disorderly spirits in the lower strata of all communities, who sometimes rise to the surface, and, in the name of religion, seek to dissolve the holiest bond of all religions—that which joins man with man in mutual responsibility and helpfulness. Notwithstanding such momentary lapses into fits of insanity, the general good sense of the Indian community soon asserts itself and prevails in the end, for our people have always been distinguished for their freedom from religious fanaticism and the fury of political partisanship. (*Cheers.*) Their leaders have never attached undue importance to trifling matters, and have always been ready and willing to persuade their own communities that union is strength, and mutual alienation a deadly sin. Religious riots have, no doubt, been frequent of late years in many parts of the country, and it is a question which has baffled the highest statesmanship to understand the genesis of this unusual bitterness. Some have attributed it to a wave of fanaticism which, they think, has swept over the land. Others have, with equal ingenuity, attributed this untoward state of things to influences from without, which are supposed to be hostile to the Congress and which, it is alleged, give encouragement to these dissensions among the people for political and party purposes. On behalf of this Conference and the native community generally, I repudiate both these explanations, especially the last, as being based on very insufficient data, and untenable in the larger light of our intimate knowledge of current history. (*Cheers.*) The unrest we deplore is, I feel firmly convinced, not the result of any fanaticism or statecraft. The British rulers of this country have at heart the same interests that we cherish as our dearest possessions—the interests of order and peace, progress and co-operation. The noble Queen-Empress who rules over the land has the same motherly regard for all her children without distinction of creed or colour, and the nobler race of which she is the Queen will never falsify its past history by seeking to disunite what the highest statesmanship has joined together. (*Cheers.*) His Excellency the Governor the other day eloquently justified this noble attitude of official neutrality in matters of religion. It would certainly have been equally satisfactory if His Excellency, in his speech at Ahmednagar, had not singled out a particular community for an expression of his high displeasure. The Maratha community not long ago ruled, and still rules, over a wide stretch of territory inhabited by all manner of races and creeds, where no riots have yet occurred, and its representatives in the Deccan and elsewhere have certainly not lost their heads completely. (*Cheers.*) His Excellency himself, in his Satara address, made amends for this momentary disturbance of his usual equanimity of temper, and we may well afford to forget these incidents. The inability of the Police and District authorities to comprehend the real nature of these occasional outbursts of temper on the part of the lower orders of the Hindu and Mahomedan communities is, however, a fact which we cannot pass over in silence. Stern repression, and not timely prevention, has been their stock remedy for the disease, and this has been the source of much bitterness on both sides. (*Hear, hear.*) These apparently strained relations are really due to the increasing consciousness of their social rights which the lower orders of both the communities are slowly realising under the

The conduct of the Police.

protection of British rule. People who were in old times debarred from the exercise of certain privileges seek the help of the law, and, in the course of this self-assertion, it is but natural that certain classes of Hindus and Mahomedans should come into occasional conflict. Gentle management and a spirit of moderation and compromise will surely be of more practical account than indiscriminate punishments for such a state of things. (*Hear, hear.*) The leaders of both sides are willing to co-operate in a spirit of mutual conciliation if properly approached, and the executive authorities in the lower grades cannot be better employed than in bringing these leaders together and giving strength and stability to their wise counsels. The N.-W. Provinces Government have already succeeded in quieting the public mind in those parts by a resort to this policy of conciliation, and the same policy will succeed equally well here. It is an abnegation of the highest function of the Police when it waits till the mischief is done, and then fulminates its wrath through the prosecutions of the guilty and the innocent alike. It will be more to the purpose if they cease to find imaginary explanations in all conceivable quarters but the right one, and co-operate as citizens in this work, than which Christian charity can have no nobler field for its display. (*Cheers.*) This is not a question between the rulers and the ruled. The European district revenue and police officer must forget for the moment that he is a foreigner and a ruler. He must throw off the robes of office and come down as a member of the community to promote the cause of righteousness by undertaking to be a peace-maker. (*Hear, hear.*) I am still in hopes that the district authorities will come to see the matter in the light in which I have placed it before you. Even if they do not see their way to such a settlement, the path of duty lies plain before us. We, Hindus and Mahomedans, are the right and left arms of this great community—(*loud cheers*)—as was so convincingly made clear last week in the most able and well-considered speeches of my friends, Messrs. Dharamsi and Runchorlal Chotalal, at the Mahomedan Conference at Ahmedabad, and we cannot afford to slight and injure each other to our mutual ruin and wait till the doctor comes and amputates both the arms. We must remember that our disagreement puts the cause of our country, which is our cause, back for many years, for, as long as there are dissensions among us, we must look in vain for advancement in all directions. We must make allowances on both sides and fraternize as was done last year in this City after the unhappy riots and as has been much better managed in Pen, Chiplun, and other places. The unrest we deplore is an attendant evil of our transition from the old order of high and low status into one of conscious equality, and we must guide the vessel by a gentle hand, and our good sense and toleration will, I am sure, accomplish what mere repression with the heavy foot will never achieve. It is only in this way that the people of India can reap to their full extent the blessings flowing from the direct rule of Her Majesty. I am here reminded of a passage in Sir Theodore Martin's "Life of the Prince Consort" which refers to the feelings which prompted Her Majesty to declare her real sentiments towards the people of India in the Proclamation of 1858. The passage runs thus: "The Queen has asked Lord Malmesbury to explain in detail to Lord Derby her objections to the draft of Proclamation. The Queen would be glad if Lord Derby would write it himself in his excellent language that it is a female sovereign who speaks to more than a hundred millions of eastern people on assuming the direct government over them, and after a bloody civil war, giving them pledges which her future reign is to redeem, and explaining the

Mahomedan Conference at Ahmedabad.

Prevention, not Repression, needed.

principles of her government. Such a document should breathe feelings of generosity, benevolence, and religious toleration, and point out the privileges which the Indian will receive in being placed on an equality with the subjects of the British Crown, and the prosperity following in the train of civilization." (*Loud cheers.*) Gentlemen, let us show, by a spirit of mutual reconciliation, that we are fully alive to the blessings of peace and prosperity assured to us in the Proclamation, which, in the subsequent words of Her Gracious Majesty (1887), is considered "as the charter of the liberties of the princes and the people of India" —a charter whose "principles" it is her "earnest desire should be unswervingly maintained." Gentlemen, I have detained you long, but, if what I have said here affords some food for calm and dispassionate reflection on our present situation, I shall feel myself amply rewarded. (*Loud cheers and applause.*)

Inviolability of the sacred principles of the Queen's Proclamation.

A Subjects-Committee as under having been appointed, the President adjourned the Conference to 4-30 p.m. on the 3rd November, 1894.

SUBJECTS-COMMITTEE.

BOMBAY.

Mr. Curimbhai Ibrahim.
„ W. A. Chambers.
„ Vijbhookhundas Atmaram.
Dr. K. N. Bahadurji.
The Hon'ble R. M. Sayani.
Mr. Gokuldas Kandas Parek.
„ Maneksha Jehangirsha Talyarkhan.
„ Narayan Vishnu Gokhle.
„ Mulji Bhawanidas.
Dr. M. G. Deshmook.
Mr. Ebrahim Rahimtula.
„ Rustum K. R. Kama.
„ R. L. Gharat.
„ Vishnu K. Bhatvadikar.
Dr. Bhalchundra Krishna.
„ Atmaram Pandurang.
Mr. Amiroodin Tyabji.

POONA.

Professor G. K. Gokhle.
Rao Bahadur N. V. Bhide.
Rao Bahadur N. G. Kirtane.

AHMEDABAD.

Dr. J. Benjamin.
Mr. Manilal Bhagubhai Javeri.
„ Manishankur G. Bhatt.

SURAT.

Mr. Krishanlal Mohunlal Javeri.
Shett Thakorbhai Choonilal Chakawala.

ANKLESIR.

Mr. Nathabhai Jagjivandas.

BELGAUM.

The Hon'ble V. R. Natu.

NASIK.

Mr. Ragoonath Narayan Gogate.

KALIAN.

Mr. B. J. Magmudar.

MAHIM.

Mr. Damodur Gopalbhai.

RATNAGHERRY.

Mr. J. K. Kulkarni.

ALIBAG.

Mr. Vithal Mahdev Dhamankar.
„ Gunesh Hurry Daveskar.
„ Pandurang Raoji Railkar.

PEN.

Mr. Waman Bapuji Dev.
„ V. S. Dharkar.

TANNA.

Mr. Jairambhaw Jaojerao Deskmook.
„ Govind Narayan Devdhakar.
„ Gopal Trimbuk Tarilkar.

MAHAD.

Mr. Chimnaji Narayan Bhate.

SECOND DAY'S PROCEEDINGS.

The Conference re-assembled at 4-30 p.m. on the 3rd November.

The President, on taking his seat, said :—

GENTLEMEN,

The Subjects-Committee met in this hall last evening to consider and decide what questions should be brought before the Conference for discussion, and what resolutions should be submitted thereon. We will now, therefore, proceed to business. But before doing so I may inform you that I have received an anonymous communication over the signature of "Hospital Assistant." I may tell the writer, whoever he is, that this Conference takes no notice of anonymous communications. (*Cheers.*) The first subject to be brought on for discussion is the question of Land Revenue enhancement, which is one of the burning questions of the day (*Cheers*). I will call upon the Hon'ble Mr. Natu of Belgaum to move the first resolution, but will first inform the speakers that the time allowed to movers of propositions is ten minutes, and to seconders and supporters five minutes.

Resolution I.

The Hon'ble Mr. V. R. Natu (Belgaum) then rose, amid loud cheers, to move the first resolution, which was as follows :—

I. (*a*) *That this Conference strongly deprecates the pronounced tendency of the Survey Department to set at naught the moderating restrictions placed upon excessive enhancements by Sir Philip Wodehouse's Government Resolution of 1874 and the Legislative enactment passed in 1886 by Lord Reay's Government guaranteeing exemption of private improvements.*

(*b*) *That this Conference notes with regret that during the last five years the Local Government has not been careful in enforcing these wholesome restraints upon the work of the department, and it has in many cases over-ruled the more moderate suggestions of its own Revenue officers when they were in conflict with those of the Survey Department.*

(*c*) *That as all recent enhancements relate to the revision of original assessment fixed in times of high prices, when the methods and appliances of the department had received their full development, the only two grounds of rough work and low prices on which enhancements were made in the earlier revisions have ceased to be operative, and that it deserves the most serious consideration of Government whether in the Konkan talukas especially more stringent limitations should not be enforced in regard to all proposals for the enhancements on individual holdings and old village groups, and whether full exemption of* warkas *cultivation and conversion into rice lands should not as a rule be guaranteed.*

II. *That this Conference again urges upon the attention of Government the injustice of fixing the revenue survey assessments in the Devghad taluka at a rate higher than what the owners of land can recover from their tenants under the Khote Settlement calculated as it is to practically confiscate Khote rights ; and the Conference regrets that no steps have yet been taken for remedying this great evil.*

The Hon. Mr. V. R. Natu said :—

I have much pleasure in moving the first resolution that has been entrusted to me and which, I feel sure, will meet with your acceptance. Now, gentlemen, at first sight this would be, as it is, a very limited and rather argumentative suggestion, but it no doubt involves the whole question of the recent policy of the Revenue Settlement Department. I can show you that this is the most important resolution that the Conference is called upon to pass. In the first place because it touches the vital interest of the bulk of the rural population, and, secondly, because it is practically excluded from the purview of the annual gathering of the National Congress. It is important also from another point of view ; because some of us had thought that the proper place for its discussion was the Legislative Council of this Presidency. But, as you are aware, Lord Harris ruled that it was not the proper place ; and there were other assemblies and platforms where it could be debated. (*Cheers.*) Therefore, in discussing this question here, it is simply under Government orders, and we are simply loyally carrying out the wishes of His Excellency. Now, the first point in this resolution is that the limitations placed on excessive enhancement in 1874 and again in 1886 have been practically removed by the recent policy of the Survey Department. The strong point of the decision of 1874 was that the increase of assessment at the revision settlement did not exceed 35 per cent. ; secondly, that in the case of new lands the assessment was not to exceed 66 per cent., and third and most important, that in the case of individual holdings not assessed at the time the assessment should not exceed 100 per cent. These were the most important of the restrictions placed on the powers of the Survey Department. And they were carried out for some years. But somehow or other during the last five years we have observed that these restrictions have been broken, and that, with the sanction of the Secretary of State, they have not been observed at all. Let me point out to you that that sanction has been obtained privately ; a report has been submitted to him without being issued to the general public and without any attempt being made either by Government, the Secretary of State or the Survey Department to consult the wishes of the people. Nor have those wishes been considered when an appeal has been made against the ruling of the department. As a matter of fact, the appeals of the people are not properly listened to. As regards the second part of the proposition, I would point out that the Government resolution to which I have referred says that enhanced assessment should not be made unless the material prosperity of the ryot is increased. The department should also consider the question of indebtedness. From our point of view, though not from that of the department, the most important feature of this indebtedness is that it is largely due to enhanced assessment of land revenue. (*Cheers.*) I have to urge for your consideration the fact that it is the duty of all who sympathise with the ryots to appeal to the Government to strictly follow the resolutions of 1874 and 1886, which were thought very valuable and wholesome by previous Governments. The second point contained in this resolution has reference to the policy of Government in adopting the wishes of its superior revenue officers and neglecting to follow the advice of some of their most experienced revenue officers. In my experience I will point to one instance where one high official thought that the proposed rates of the Survey Department were excessive and ought not to be in force, but the Government adhered to the suggestions of the Revenue Department. They told him in effect that to make such suggestions he did not know his business. When any controversy takes place between an officer and the people, the Government always brings its influence on the side of the increase of revenue. I can bring to your notice one recent example in the Devghad Taluka, where the assessments have been fixed at a higher rate than the owners of land can recover under the *khote* settlement. The reasons given by this department often is that, when the settlements were originally made, the Government machinery was not complete and the department was only a new thing. Now that the machinery is complete, they contend they are justified in overstating the limits laid down in 1874. But Government fails to draw a line of distinction between talukas surveyed in 1860 and those surveyed after 1860. Before that year prices were abnormally low, but in 1860 and during the whole of the American War the prices rose to a very

magnificent rate. When those high prices prevailed, and when the Government machinery was fully developed, the Government assessed land accordingly ; so they have no reason to say that the results obtained were not correct or that the assessment was too low. There is a taluka in the Konkan where the Government not only failed to carry out the resolution of 1874, but has also failed to carry out the amendment of the Land Revenue Code made by Act IV of 1886. I would point at once to a specific instance ; in one taluka at survey of 1886 the total area was 50,000 acres, and at the revision survey it was reduced to 43,000 acres, the remainder being converted into rice-land. You also will be surprised to learn that in this instance the Government says that enquiry must be made as to what is spent by the ryot to make this conversion and how much share of the crop is due to the good quality of the land rather than cultivation. I say that in doing this Government have disregarded the section of the Land Revenue Code to which this resolution refers. The revenue officers have no right to say that they will enquire as to what is the result of the natural advantage of the land, what is the amount spent by the ryot, and we shall make our standard of assessment accordingly. It is extremely difficult, if not impossible, to say how much money is invested by ryots in the conversion of their land, for, as you know, they are unable to keep proper accounts. The Survey Superintendent seems to suppose that the ryot can keep accounts like any firm in Bombay of the improvements he makes on his land. The point is that in 1886, when the survey was in operation, where any improvements had been completed by the ryots, the assessment of those lands should not be enhanced. Any contrary policy disregards the Land Revenue Code. But the officers always say " We cannot go into this question now, and the readiest way is to carry out the change as proposed." Now, gentlemen, we have in Mr. Javerilal a gentleman who has made a special study of this question, and I am only sorry that he was not permitted to deal with it at the Legislative Council. My friend, Mr. Talyarkhan, has also given the matter great attention, and as he seconds the resolution, I will not any further detain you from hearing what he has to say on the subject, but will once more read you the resolution. (*Loud cheers.*)

Mr. Maneckshah Jehangirsha Talyarkhan (Bombay) seconded the Resolution as follows :—

The questions involved in the recent Revenue enhancements in the Konkan are very important and very complicated, and with the limited time allowed to me by the President I can only refer to the salient features of the settlement of the Panwel Taluka, which are really typical of the settlements in the rest of the country. In 1886, when the people of Panwel came to know that Government intended to revise the settlement of 1856, they assembled in a meeting and petitioned Government deprecating any revision, as it was likely to put them to considerable trouble and impose additional burdens upon them. But Government replied that the survey of 1856 was erroneous in some respects, especially as to *varkas* or grass lands, and it should be revised in those particulars in which it was erroneous, and that no unnecessary burdens would be thrown on the people. What was actually done at the new survey, however, was entirely to overhaul the whole of the previous settlement in all respects. The old survey of 1856 was made by a very able Survey officer, Colonel Francis, and if the new survey had been confined to the correction of the errors of the old survey, no such widespread dissatisfaction would have been caused. In the first place, no notice whatever was given to the landholders that an entirely new survey was to be made, in which the grouping of the villages, the classification of the soils, as well as the rates, were to be reconsidered and altered. The reply of Government, to which I have already alluded, rather misled them into the belief that only the errors of the old survey, especially with regard to *varkas* land, would be corrected. The only intimation the people had was that the different descriptions of land would be charged with certain rates. The actual result of the survey, however, has been that the grouping of the villages has been altered so as to benefit the revenue. Soils have been reclassified with reference to their quality with the result that in most cases lands have been transferred from an inferior to a superior class; and thirdly, the maxima rates imposed are higher than those of 1856. It is not surprising that with all these various kinds of increments the entire assessment

of the taluka has been raised by 45 per cent.—that is, in round numbers from Rs. 1,80,000 to Rs. 2,60,000. Although the net increase on the entire taluka is 45 per cent., you will find that in individual cases and individual villages the increase has been from 100 to 1,200 per cent. In raising the assessment in this instance, every rule laid down by the Government for its own guidance has been directly infringed. The limits of increase in the case of a taluka was 33 per cent.; in that of a village, 66 per cent.; and in that of an individual khata, 100 per cent. All these limits have been exceeded, and, in order to validate their proceedings, the Government of Bombay obtained the sanction of the Secretary of State. Now this was a very unfair proceeding both to the people of Bombay and to the Secretary of State. The people had a perfect right to believe that, whatever the extent of the increase, the Government would not exceed the limits which they had themselves laid down. When therefore the Government of Bombay asked the Secretary of State to allow them to overstep these limits, surely it was only fair that the people should have been informed as to what was going to be done in order that they might have their say. But everything was done secretly, and it was only when the result of the settlement was announced that the people came to know that the sanction of the Secretary of State had been obtained. The proceeding was unfair to the Secretary of State also. He could not help giving the sanction asked for by the Government of Bombay when the latter had deliberately said that the taluka was a most flourishing one and when he had the glowing accounts before him of the Survey officers. He could not have known that the people never had an opportunity to have their say as to the largely increased taxation they were called upon to pay. And yet, when the survey papers were published, the people of Panwel were at once able to point out various inaccuracies and exaggerations in the reports of the Survey and Revenue officers. I will quote only one or two instances. One of the chief reasons for increasing the rates on *warkas* lands was that such land was largely used for the cultivation of superior kinds of mangoes. Now in the Panwel taluka proper, out of 43,000 acres of *varkas* land, only 200 acres (that is, ½ per cent.) are planted with mango trees, so that the alleged extensive cultivation of mangoes dwindles into nothing. Again Panwel is credited with growing the whole of the grass shipped to Bombay from the ports of the taluka. An examination of the sources of the shipments at once showed that about half the total quantity was grown in *other talukas*, and only brought to Panwel for shipment. There are various other inaccuracies and mistakes with which I have no time to deal. The people have made a strong representation on the subject to the Local Government, and let us hope that they will get some measure of justice. But whenever the matter goes up to the Secretary of State, that officer cannot but feel embarrassed by the way in which his sanction to the increase has been obtained by the Government of Bombay on *ex parte* statements which have been shown to be erroneous in many particulars. (*Applause.*)

MR. R. L. GHARAT (Alibag), in supporting the resolution, said :—

This is not the first occasion on which this Conference has selected the subject of Land Revenue enhancement for its deliberations. Year after year the subject has been discussed, and resolutions pointing out the pernicious effects of the present policy of Government in regard to it and praying for redress have been adopted and passed by this Conference. It is most unfortunate that, in spite of all these representations, the Survey authorities should still persist in their oppressive policy. The subject is of vital importace, not only to the agricultural classes, but to the entire population—nay, even to our rulers themselves. What would be the result if, through any unbearable burden of taxation, the agriculturists should find themselves compelled to give up cultivation and resort to questionable methods of earning their livelihood? The necessity of preserving the cultivators in a state of comfort and contentment has been felt by all enlightened nations, whether ancient or modern. It would be a sad day for India if the agricultural population were to become sullen and discontented. Every attempt, therefore, should be made to watch the interests of this most important class. It may be urged that the enhanced assessment will not materially affect the cultivators inasmuch as the lands are for the most part owned by well-to-do landholders. But this is a mistaken view. We still have numerous small holdings belonging to poor agriculturists, and

the Deccan Agriculturists' Relief Act and the arrangement for *tagai* advances to cultivators are evidences of the solicitude on the part of Government to preserve the remnants of the once-flourishing peasantry of this Presidency. Even those who do not possess any land of their own but hold it by lease will indirectly suffer by abnormal increase in assessment. The landlords, in order to be able to pay the increased cess to Government, will undoubtedly demand a larger share of the produce of their fields and leave only a small fraction to the actual tillers.

The most salient points we have to consider in connection with these revision survey settlements are (1) to find out what the provisions of the Land Revenue Code and the various resolutions on the subject issued by Government from time to time are ; (2) to see whether the Survey authorities in carrying out their operations have loyally observed them ; and (3) to examine how any departure from them is likely to affect the interests of the people. (*Cheers.*)

In the Bombay Presidency the law allows only one regular revision survey after a stated period, generally of thirty years. It also authorises the Government to increase the revenue up to 33 per cent. on a taluka, 66 per cent. on a village, and 100 per cent. on an individual holding if such increase may appear justifiable to Government. Any departure from these principles requires exceptional grounds for justification and cannot be allowed without the special sanction of Government. Any improvements made by the occupants of lands at their own cost during their first occupancy are to be exempted from taxation at the second or revision survey. While the survey operations are in progress, the occupants of lands are to be called upon by public notification to point out the improvements they may have made. The revised rates are not to be levied in the same year in which they are announced, and the ryots are to have opportunities to petition Government when they are dissatisfied with the rates. (*Cheers.*)

So far, gentlemen, the law and Government evince the most anxious concern for the people's welfare. When, however, we come to see and examine the *practical* application of these principles, we have nothing but disappointment. The Survey authorities have, knowingly or unknowingly, disregarded the most important of these regulations. Without giving the people any opportunity for pointing out the improvements they had made, the survey classers unhesitatingly taxed these improvements. In fixing their anna valuations, they never consulted the holders of lands in order to ascertain what ratio the natural capability of the soil bore to the fertility due to the farmer's labour and expense. In the Alibag Taluka of the Kolaba District, until a public meeting was held at Alibag after the completion of the survey operations, hardly any person had the least idea of the existence of a Government Resolution on the subject of improvements. The Survey officers neglected to issue the requisite notification in accordance with the resolution as they did not care to let the people have any knowledge of it. No copy of it has been recorded in the Mamlatdar's office. If the people readily attended to the instructions they got at the very outset to supply the Survey Department with labourers, &c., and forwarded their petitions to the Collector within two months from the appearance of the last notification, would it be fair, gentlemen, to infer that they took no notice of the intermediate notification which concerned their best interests? The late Mr. Telang (*cheers*) had to work very hard to get Government to insert clauses to this effect, but the ignorance of the people and the apparent unwillingness of the Survey authorities to give practical effect to them have made them almost a dead letter. Thus the amending clauses of 1886, so far from serving the purpose for which they were enacted, may rather be supposed to do mischief, since they are calculated to deceive the superficial observer into the belief that Government must have made an effectual provision against taxing improvements. We have, therefore, to express our emphatic, though respectful, protest and to see justice done to the agriculturists whenever attempts are made by officers of the Survey Department to avoid effect being given to the spirit of the law. (*Loud applause.*) The limit in the percentage of increase is in a number of cases wholly set aside. The circumstances are too well known to need recapitulation. In the Panwel Taluka of the Kolaba District we find the percentage going up as high as 44·8 instead of 33 allowed by the law. In the Alibag Taluka the

enhancements on individual holdings have in many cases far exceeded the legal limit of 100 per cent. In the absence of any report on the operations of the recent revision settlement, the percentage of increase on the whole taluka cannot be determined, but seeing that in a number of villages the increase has been over 40 per cent., and in one case at least over 100 per cent., it may not be far from the truth to presume that the increase on the whole taluka must have been over 33 per cent.

In the case of *bagayat* (garden) and *varkas* (grass growing) lands, the people of the Alibag Taluka have to make the loudest complaints. It is not easy to guess on what grounds the Survey authorities have raised the assessment on these two kinds of lands at such exorbitant rates. Lands containing a few jungle trees and having no apparent water-supply have been classed as *bagayat* lands. With stringent Forest and Abkari laws even cocoanut gardens leave a very small margin of profit to the holder. In the absence of any considerable *rabi* or dry crop in the taluka, the classing of the major portion of the old *varkas* land as *rabi* passes ordinary comprehension. Hundreds of acres of *varkas* land, where even cattle graze with difficulty, have been classed as *rabi* land and subjected to an increase in assessment of over 500 per cent. ! !

One of the avowed objects of the revision survey was to ascertain the boundaries of the survey numbers of the *varkas* lands and to define the rights of occupants in them. Pratically, however, it has been found that the Survey Department has done very little in this direction, and the old uncertainty and confusion as to the rights of individual occupants remain just as they were before.

In the case of the *kharapat* villages of the taluka, the clause enacting that no survey and classification work should be undertaken a third time has apparently been set aside. Although Government may say that the first settlement was based on a rough classification, Mr. Hearn, the Assistant Survey Superintendent, in his statistical reports of the Kolaba Agency in 1854, says :— "The Government has already taken it into consideration and the *kharapat* or salt batty land has undergone a complete survey and classification, and before long a new set of fair and equitable rates will be introduced to the great benefit both of the Collectors and Government." In a footnote he adds :—"The revised and reduced rates here alluded to have since received the sanction of Government and been fixed for twenty years." A landlord from Alibag petitioned against a third classification of land in these villages, and here is the reply he got from Colonel Godfrey, the Survey Superintendent:—"No classification work is in progress in *kharapat* villages. The Assistant Revenue Superintendent has been instructed to survey the land as far only as may be necessary to rectify any errors through oversight and committed at the former survey and to fix survey stones even at pot numbers in accordance with the regulations of the revision survey and this in no way affects clause 106 of Act V of 1879 and clause 1 of Act IV of 1886."

The revision survey instead of doing good to the people has been a source of much anxiety to them for they do not know whence to bring money to pay the Government. A monster meeting of over 3,000 persons was held at Avas on the 21st ultimo. It is a proof of the widespread uneasiness pervading the taluka. Petitions made to Government have not yet been satisfactorily disposed of. The ignorant ryots are at a disadvantage in not being able to properly understand the survey regulations, which are very complicated, and hence they cannot set forth their grievances as best as they ought. Their petitions in such cases often fail, and they begin to despair. Under the circumstances, therefore, it would be in the interest of every body if Government give effect to their rules in a benevolent spirit and allow the ignorant ryot the benefit of doubt when there is fair room for any doubt. Nothing less than a commission of inquiry appointed by the Government is likely to set matters right. (*Loud cheers.*) Gentlemen, I come from Alibag Taluka and have taken some pains to study the subject of these enhancements as appertaining to that taluka. I can, therefore, assure you that my information is based on facts. Having already said a good deal on the subject, I do not wish to take up any more of your time, but beg most cordially to recommend for your acceptance the resolution which has been so ably proposed by the Hon'ble Mr. Natu and which I have been asked to support. (*Loud cheers.*)

Mr. J. K. Kulkarni (Ratnagiri), in supporting the Resolution, said:—

PRESIDENT AND GENTLEMEN,

I come from Ratnagiri District to represent the grievances of Khotes in Deogad Taluka regarding the enhancement of assessment in the recent survey of 1891-92.

In the last survey settlement the assessment has been, in most instances, enormously high. This increase of assessment is altogether out of proportion to any possible benefit the Taluka may have derived from facilities of communication and other conveniences, and even exceeds by far the proportion of the share to which Government deem themselves entitled, and which is fixed at 33 per cent. of the old assessment.

This fact is again well evidenced by comparing the assessment on the villages in this Taluka with that which has been laid on villages in the neighbouring Talukas of Rajapur, Vingorla and Malwan.

Most of the lands in these villages are held by tenants from whom the Khotes have to recover whatever rent is fixed by the Settlement Officer; this settlement of rents to be paid by the tenants to the Khotes is very low. This settlement, taken in conjunction with the increased assessment, has resulted in a very heavy grievance, which would move you all with pity when I will hereafter give you a statement contrasting the rents with the assessment and loss in each village.

Before the introduction of this survey, Khotes used to recover from their tenants such rents as would cover the amount of old assessment *plus* the Khotes' profit. But the present rents to be recovered by Khotes from their tenants, according to the recent settlement, fall far short of the amount of enhanced assessment fixed by Government, and the necessary result of this has been that Khotes have either to give up their villages or pay annually a large amount of loss out of their pocket for the mere privilege of calling themselves Khotes.

Gentlemen, you are aware that these Khotes have been holding these villages for several generations, even before the introduction of the British rule, in their own right. The Khotes, without any fault of theirs, have been obliged to give up these villages, on which the very subsistence of several of their families mainly and entirely depends. It is really surprising that our so-called benign Government, whose duty it is to protect the interest of their subject, could not realize the most miserable and horrible condition in which these poor Khotes have been driven by ignorant, inexperienced, and injudicious Settlement Officers, who, instead of settling anything, have really unsettled the whole District.

To convince you more fully of these remarks, I give you a statement contrasting the rents with assessment and loss in some of the villages:—

Village.	Old Assessment.	New Assessment, exclusive of Local Fund Cess.	Rents recoverable under the Settlement.	Annual loss.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Birwadi	571 1 5	2,382 6 6	570 15 7	1,811 6 11
Saugwe	874 1 10	2,509 12 10	881 12 8	1,628 0 2
Harkul-Kurd	689 11 9	4,155 5 6	1,457 11 8	2,697 9 10
Phonda	869 2 4	5,322 5 6	2,896 4 8	2,426 0 10
Karange	413 2 2	2,402 2 0	881 2 0	1,521 0 0
Lore	189 5 5	2,214 2 0	377 15 11	1,836 2 1
Wagheri	280 12 2	1,326 0 0	278 5 10	1,047 10 2
Janawali...	834 13 1	2,318 8 6	936 1 2	1,382 7 4
Harkul-Budruk	1,740 3 11	3,762 13 6	1,879 3 11	1,883 9 7

The other villages too have more or less the same proportion. The Khotes have submitted a memorial to Government on the subject, but nothing seems to have been done as yet to remedy the evil.

I request, therefore, that this Conference would strongly urge upon Government the necessity of taking early steps in remedying the evil, which affects the maintenance of the several families of Khotes of Deogad Taluka. (*Applause.*)

Mr. P. B. Dantra (Bombay) supported the Resolution as under :—

The annual yield of crops in this country is fast diminishing every year on account of the scanty manure. This state of things is attributable to the poverty-stricken condition of the agriculturist and his want of knowledge of the rudiments of agriculture. *Apropos* of the subject in hand, I might draw your attention to the following passage in "The Principles of National Agriculture applied to India," by Mr. Schrotky, a German writer of no mean fame on the agricultural question. This learned writer had so far back as 1876 delivered a series of lectures on this subject at the Sassoon Mechanics' Institute. This is what Mr. Schrotky says : "When "entering upon this work I was stimulated by the belief, which is growing stronger and stronger "with my prolonged sojourn in Bombay, that India, far from being that country about whose "health and resources I delighted to read in my youthful days, is, on the contrary, a poor, "impoverished land, and the majority of whose millions of inhabitants are living in abject and "squalid poverty, trying to gain from mother earth the little remnant of its former wealth and "fruitfulness which the recklessness and ignorance of preceding generations have left it, and "that the reason of their poverty is the neglect of agricultural improvement, which past and pre-"sent rulers have been guilty of, and the disregard which past generations' children have shown "by exhausting the resources of a soil which once was remarkable for its fertility."

The same learned writer, in the course of his abovementioned work, observes that a hundred years before cotton produce in Broach was at the rate of 200 lbs. per acre, whereas now this is considerably reduced. It is a sad commentary on those responsible for this state of things that a foreign writer, unbiassed by any prepossessions, should feel and speak so strongly on the subject. Thirty years ago, when the land survey operations were commenced, assessment was fixed in proportion to the actual yield to the cultivator. When, however, the soil has every year grown poorer and poorer, the assessment ought *pro tanto* to be reduced. But, far from this being the case, the assessment has gone on increasing by leaps and bounds in the inverse proportion of the value of the crop. (*Cheers.*)

Mr. Vithul Mahadeo, Vakil (Alibag), said as follows in support of the Resolution :—

GENTLEMEN,

I have been elected a delegate to this Conference by the people of Kolaba as well as the Bombay Presidency Association.

I have been carrying on the profession of a pleader for about twenty-eight years, and not only possess lands in the Kolaba Collectorate, paying an annual assessment of about Rs. 400, but cultivate a portion of these lands myself.

The people who elected me as their representative are almost all of them farmers, and they have requested me to state all the effects produced by the introduction of the revision survey.

I am now to place before you the sufferings of the agricultural population, which forms the major portion of the inhabitants of the villages, sufferings of which I have been a personal witness, having every day dealings with the villagers.

The Kolaba Collectorate contains seven talukas. The original survey in the zilla commenced about the year 1851-52 and closed in 1867-68. Rates according to revision survey have now been given out for the Karjat, Panwel, Pen and Alibag Talukas, and the work of revision survey is in rapid progress in the other talukas.

It will be seen from Col. Francis's report that the rates fixed at the original survey were in excess of those existing at the time of the previous administration.

When the Land Revenue Code was amended by Act IV of 1886, the Honourable Mr. Peile and the Right Honourable the then Governor, Lord Reay, declared, during the debate in the Council, that the revision survey was necessary to rectify the mistakes committed at the original survey by officers who were new to the work at the time ; and in pursuance of the same principle Government issued their Resolution No. 2619, dated 26th of March 1894. The officers committed no blunders of any importance at the original survey, and consequently the revision survey has only served the purpose of depriving the cultivators of many of their former privileges and imposing additional cess on them. The officers disregarded clause 107 of the Land Revenue Code and Government Resolution No. 2619 of 1884, which forbade the taxing of improvements on land at the cultivator's expense.

The Alibag Taluka contains about 52 villages, known as the *kharapat* or salt *batty* land. The villages were first settled in 1851-52 and were resettled in 1871-72 ; so that they ought not to have been surveyed and classified a third time. Their recent survey and classification and consequent increase in revenue enhancement are therefore unjustifiable.

At the time when the said Land Revenue Code was amended, the Honourable Mr. Telang, in discussing the inadvisibility of taxing improvements, pointed out how such a measure would create distrust in the minds of the rural population and debar the progress of agricultural improvements. He gave the instance of the cultivators of his own land at Lonauli. The Select Committee, who forwarded their report to Government on the 28th of February 1885, have laid down the same principle in it, and clause 107 of the Code was amended and Government Resolution No. 7447, dated 21st October 1886, was issued accordingly. This resolution requires the Survey Department to issue three notifications before the rates are given out, the second of which is to be to the effect that land-owners should inform the Survey Officers of any improvements they might have made in their lands at their own expense and labour. The third notification relates to the classification and fixing of maximum rates for the different groups. The Survey Officers failed to issue the second notification, so as to give full facilities to the farmers to point out their private improvements. Many agriculturists were ignorant of what this notification stated, so that they applied to the Mamletdar for a copy of it, but that officer said even he was not sure that any such notification had been issued at all. The Survey and Revenue Officers commenced giving out rates notwithstanding the provision made, in Government Resolution No. 7447, to the effect that the Survey Officers should give out their orders on hearing the farmers, and should consider any appeals that might be made after the issue of the third notification ; but the Survey Officers answered them not and commenced giving out the rates at once. When Col. Godfrey, the Survey Superintendent, began to announce the revised rates, I contended on behalf of the people that the applications they had previously made had met with no reply till then, and therefore the rates should not be announced at once. The Survey Officer said that he had intimation by wire to proceed with his work, and he would therefore announce the revised rates, adding that the people were at liberty to appeal to Government. When these new rates were announced, a notification, bearing date 7th May 1894, was read to the public. This notification stated that *navakird*, *bagayat* of the lowest class, *varkas*, *rabi* or *kharif* lands converted into *bagayat* are classed under one head, and the Survey authorities had received the sanction of Government to do so, but that alterations were liable to be made in them. The rates of assessment given out for *rabi* converted into *kharif* was to remain in force only till further orders were issued on the subject by Government.

After the announcement of revision rates a copy of notification of 23rd May 1894 was affixed in every village, which omits to state what has been said in the foregoing paragraph, and this difference between the two notifications was caused by an interval of only sixteen days.

I give here some examples for test of the revised rate of Alibag Taluka :—

Name of Village.	Assessment at the time of Original Survey.	Assessment at the time of Revision Survey.	Percentage.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Umte	1 10 6	7 2 0	330 3 0
„	5 6 3	17 10 11	227 14 0
„	8 6 2	18 2 1	116 6 0
„	3 3 6	13 0 0	325 0 0
„	0 9 0	1 11 8	200 0 0
Tanasapore	0 1 0	0 11 6	1,050 0 0
Ramraj	15 7 0	48 6 0	213 3 0
Morode	14 4 0	52 15 0	273 3 0
Thal	0 6 6	1 8 0	283 5 0
„	2 1 6	6 3 0	200 0 0
„	4 13 0	12 0 0	175 0 0
„	12 11 6	30 0 0	141 10 0
„	14 3 6	31 0 0	114 4 0
Sasavere	2 15 0	8 0 0	250 0 0
„	0 13 6	3 8 0	223 1 0
„	2 13 0	9 8 0	300 0 0
„	2 9 8	8 14 9	191 10 0
„	6 8 0	30 0 0	383 5 0
Kolgaon	1 5 2	4 9 7	300 0 0
„	1 6 1	5 1 10	300 0 0

From the above figures it will be seen that the assessment of the Alibag Taluka has been increased by Rs. 62,092-13-5. In like manner the assessment of the Pen Taluka has been increased by Rs. 46,037.

Hundreds of people appealed to Government after the announcement of the revised rates, but they have received no reply as yet.

The notification ratifying the revision survey and settlement guarantees the present rates for only thirty years, and the people feel exceedingly anxious as to what might befall them after the expiration of that period.

Every landholder ought to have been acquainted with the contents of the second notification, in order to afford full facilities for showing the improvements he might have made in his lands, and the Honourable Mr. Javerilal's contention in Council in this respect was quite to the point.

The landholders ought to have been acquainted with the contents of the second notification, especially as the Civil Courts do no longer exercise jurisdiction in matters affecting revenue enhancements, which has, by Act X of 1876, been transferred to the Revenue Courts.

Before the announcement of the revised rates the third notification was issued which, while showing the grouping and classification of villages, assigns the same maximum rate for *rabi, kharif, and navakird.* All these lands are each of them of greater or less importance than the other. The landholders would severally have liked to have previous intimation of this sort of classification.

I request the Conference to move the Government of India to amend Act X of 1876, so as to restore the jurisdiction of the Civil Court.

A curious incidence has occurred in the case of the Alibag and Pen Talukas. The revised rates were given out in the months of March and April of the official year 1893-94, when the revenue cess for that year had already been collected. The *khatas* had been closed but they were re-opened and the revised tax for 1893-94 was entered to his credit and debited to Government as *remissions.* Section 104 of the Land Revenue Code forbids the levy of the revised assessment in the year in which it was announced, and so the notification

of 23rd May 1894, taking 1894-95 for the year of levy, guarantees the rates to be in force till 1923-24. Properly speaking, the revised assessment ought to have been excused for the year 1894-95 and the year 1895-96 ought to have been the year of commencement.

It will be seen from what has been said that the revision survey in the different talukas has not been carried out with due regard to the provisions of the Land Revenue Code and the various Government resolutions relating to them.

As a justification of the abnormal increase of land revenue in the Panwel Taluka, the Survey authorities state improved means of communication, in that a bridge at Div and a road from Kalyan have recently been constructed, the cultivation of grafts and such valuable trees as the nutmeg are also advanced as reasons. Now the whole of the Alibag Taluka hardly contains more than ten such valuable trees as the nutmeg.

Now all these reasons are empty; on the contrary the agriculturists on this side of the Presidency have been losers inasmuch as the Abkari Act has reduced a great portion of their income from *bagayat* lands. They have been saddled with the Salt, Registration, Stamp and Local Boards Acts. They cannot get any supplies from the forests. The state of the farmers has indeed been of late so very deplorable that they can hardly get sufficient food. I must therefore urge this Conference to fight their case to the last.

A state of great dejection pervades the agricultural population, as will be seen from a petition to Government addressed by a meeting of about a thousand farmers from Pen, which had assembled at Mangrun a few days ago. The language of the petition is not polished; no doubt as it cannot be expected to be, being that to which the farmers are used. They request Government not to take legal steps against them in case they should commit suicide to which they say the burden of so many heavy taxes must ultimately lead them. They prayed God to inspire mercy into the heart of Government. The conduct of the peasants may appear ludicrous to some, but it is a sufficient proof of the depression which they experience.

I must, before concluding my speech, enjoin on you the necessity of preserving the agricultural population of this country, for on them chiefly depends the welfare of India. And on them we depend for our food. (*Cheers*).

Mr. Ganesh Hari Dewuskar (Alibag), in supporting the Resolution, said :—

MR. PRESIDENT AND GENTLEMEN,

I wish to speak in connection with the Konkan Revision Survey Settlement. In the first place I would draw your attention to a few facts relating to the original survey. In his report on the Konkan survey, Captain Francis has admitted that in some talukas the rates of assessment fixed at the original survey were very high. From their experimental farms, Government have now known that in the Konkan much labour and cost are required to make the lands yield a good crop. I shall explain by an example how the original assessment was fixed. In the village of Shenawai, of the Roha Taluka, in the Kolaba Collectorate, I possess a piece of land, which is entered in the Government register in the name of my father, Hari Anant Dewuskar. At the original survey this piece was assessed at 18 *maunds* and 8 *payalis* of corn and Rs. 12-6-6 in cash. Calculating the price of the corn at Rs. 20 per *khandi*, which was taken as the average rate at the former survey, the whole assessment came to Rs. 31-1-2. To this were added two other cesses, one called the *galletasar*, which amounted to Rs. 3-3-6, and the other *gallepatti*, which came to Rs. 3-9-3. Thus the total assessment from all causes amounted to Rs. 37-13-11. At the revision survey the assessment on the same land has been fixed at Rs. 40-11-6. From this it is clear that the present settlement has unnecessarily loaded us with these two cesses—*galletasar* and *gallepatti*—in addition to an increase of Rs. 2-13-7. I say unnecessarily, because these cesses were levied by the former rulers, simply because they collected the assessment in kind (namely, produce) and had to dispose of it in distant markets. When the present Government collect the taxes only in coin, there seems to be no justification for levying the two cesses. When the assessment was in kind there were remissions in bad years, and we were also allowed to pay the

assessment in arrears. Although apparently it is only one kind of taxation, we have been indirectly obliged to submit to various cesses. It is a fact that the price of corn has now increased twenty-five per cent. over what it was at the original survey, but owing to various causes the produce of fields has been now much reduced. (*Hear, hear.*)

From considerations like the above one would be induced to reduce the former excessive rates of assessment, but as the Land Revenue Code lays down that the assessment may be increased to a certain per cent., our Survey authorities, instead of taking the existing circumstances into consideration, have unhesitatingly recommended abnormal increases. The average price of corn has increased 25 per cent., but the Survey authorities make their increases 33 per cent. or even more on a taluka. Our right to appeal to Civil Courts against unjust taxation has also been taken away from us. To show how the recent revision settlement has been contrary to the spirit of the law, I need only take the instance of the Alibag Taluka. In this taluka a notification, dated 16th November 1893, and giving the maximum rates, was issued by the Survey Superintendent to the various villages. Supposing the increase of 13 per cent. on the villages of the first group in that notification to be reasonable, the increase up to 33 per cent. in the case of sweet and salt rice-lands on the villages in the other groups seems to have no justification. The increase up to 50 per cent. on *bagayat* lands and up to 200 per cent. on *varkas* lands is equally unreasonable. According to the former survey *sweet rice*, *salt rice*, *bagayat*, *rabi* and *varkas*, were the five classes into which all lands were divided. At the recent survey a new class called *navakirda* or converted lands has been added to these. Formerly there were four groups of villages for sweet rice land, now there are only three groups. The increase in the case of the first two groups is Re. 1 per acre ; but as the 14 villages of the former third group have been transferred to the second group, the increase in their case has been Rs. 2 per acre. These villages having no ports or other conveniences should not have been transferred to the second group. The old fourth group having been transferred to the third, has been subjected to an increase of Re. 1½ per acre. In the case of salt rice land villages, although there has been no alteration in the grouping, the increase per acre has been from 8 annas to Re. 1. Besides this the increases on individual holdings have in many instances far exceeded the legal limit.

In the case of *bagayat* villages the original five classes have now been reduced to two. All the villages of the former second class having been transferred to the first class, the percentage of increase has been 25 and 50 for the former first and second classes respectively. The villages of the former second class are at a disadvantage in being more distant from ports and having less fertile soil, but these factors do not seem to have been taken into consideration by the Survey authorities. The third class villages have all been transferred to the second and made to bear an increase of 25 per cent., while the remaining two classes have been eliminated. As in other cases the percentage of increase on individual *bayayat* holdings has been very high, the major portion of the former *rabi* land has been now classed as *kharif* or rice land. In the absence of any considerable grass produce in the taluka, the assessment on *varkas* land has been increased 200 per cent. All the level land that was formerly *varkas* is now *rabi*, and the increase on it has been from about 4 annas to about Rs. 2 per acre or 700 per cent. The increase on *varkas* land in some cases has exceeded even 1,000 per cent. *Navakirda* or converted lands have been similarly subjected to enormous enhancements.

It is a well-known fact that in the Konkan the fall of rain is generally great, and in the rainy season large quantities of earth and other matter are brought down into the fields from the hills and deposited there. The farmers are put to trouble and expense to remove them. If this were not done, the condition of fields would have been far worse than what it was at the former survey. The change for better in the quality of the lands is the result of our labour and, therefore, it cannot be said that the lands were classed as inferior and at the former survey through mistake. We have been constantly manuring our fields at considerable cost. *Rabi* and *varkas* were converted into *kharif* by us at great cost, and to tax them at abnormally high rates is to tax improvements. Government Resolutions No. 2619, dated 26th March 1884, and No. 7447, dated 21st October 1886, appear to have been wholly set aside in this connection. *Rabi* is,

properly speaking, land near the bank of a river, but it seems all lands that appeared to be level to the survey classers, whether they were capable of producing any *rabi* crops or not, were classed as *rabi*. The recent revision settlements were completed with the help of ignorant village *patels*, who, it seems never cared to find out what the spirit of the Code was or what the reports the Survey subordinate officials asked them to sign contained ; otherwise we could have got the requisite instructions while the survey operations were in progress.

Before concluding, I beg to refer to Government Resolution No. 1028, dated 25th February 1874, by which no tax should be levied on water supply in the Konkan. In the Alibag Taluka large expenses have to be incurred to make provision for watering the trees on alternate days, but the survey authorities, in spite of the resolution quoted above, have apparently taxed the water supply. I may also mention that the change of the name of land in the new survey papers from the word *khalsa* to the word *sarkari* has been unintelligible to us. Do Government mean to intimate to us that by the insertion of the word *sarkari* or *government* we are to understand that Government can at any time dispossess us of our ancestral lands?

I earnestly pray that Government will be graciously pleased to give our complaints due consideration.

With these remarks I beg heartily to support the resolution. (*Applause.*)

Mr. Budhaji Nathu Mokal (Alibag), in supporting the Resolution, said:—

I come from a village in the Alibag Taluka. I am an Agri by caste, and therefore I cannot speak well. I hope you will kindly excuse my mistakes. I possess some paddy-land, which I cultivate myself. The salt rice-lands being subjected to great risks, such as being immersed in salt water on occasions of high tides, the increase of assessment on them will be a great hardship on the poor agriculturists. I hope Government will hear our prayer. With these few remarks, gentlemen, I resume my seat. (*Cheers.*)

Mr. Nagurdas Raoji Sett also supported the Resolution.

Mr. Waman Bapuji Deo (Pen) observed in support of the Resolution :—

I am a landholder and come from the Pen Taluka of the Kolaba District to represent the landholding and cultivating classes. My predecessors have dealt with the question at length very ably and have explained to you how the Survey Department has acted in defiance of certain rules laid down from time to time, and how distressing its working and results have been. My taluka is one of the victims to the oppression above referred to, as the revised assessments have only been announced in May last to the utmost discontent and misery of the people.

As much has been said and written about this subject here, as well as in the local Legislative Council and in the Press, I shall but touch only two points in my address during the space of five minutes allotted to me.

First, I shall try to point out how the assessment is increased, by leaps and bounds, by the following figures:—

Original Assessments in rupees.			Revised assessments in rupees.			Increase per cent.
Rs.	a.	p.	Rs.	p.	p.	
1	0	9	3	12	0	300
0	5	9	1	0	0	300
14	3	8	27	1	6	200
19	14	2	38	4	10	200
13	7	9	29	3	1	225
1	2	6	4	10	3	400
4	12	0	13	8	0	325
0	6	10	1	11	4	400

The above figures are only a few among many of their kind ready with me, which I do not give for want of time. They will give you an idea of the fearful increase at which the people are vexed and growl.

The second and the last point to which I wish to draw your attention, is the conduct of business of the Survey Department, which is so cautious and deceptive as to leave no room for the combined efforts of the people, to make timely appeals. Everything is purposely kept vague till the moment of the actual announcement of the assessments.

On opening the survey works in a taluka they first exact expenses, for the survey and classification, from the people, through the Mamletdars, whose powers in a taluka town are almost unlimited. The expenses are equal to the revenue. In some cases even more than that, and are exacted for a work which the people never asked for or invited. (*Hear, hear.*) After the completion of the survey and classification work, they publish a notification, in which they give the old and new maximum rates against every village, according to the class or group of that particular village, and one common rate for all kinds of *navakirda* (new occupied) lands. This notification is the only written publication about the assessments to be revised, in which they invite objections within two months. But the notification states nothing about an individual holding and so the people remain silent and indifferent, as none of them know the exact sum to be increased in his own case. Besides, this vague and defective notification is known only to a few, only one copy being sent to every village, as well as only one to the taluka town. Petitions sent to the Survey authorities remain unreplied and those sent to the Local Government are refused on the ground that they do not reach them through the proper channel. This state of things keeps the people in a dilemma. How surprising it is, to a thinking mind, that when a permanent increase of lakhs of rupees is contempleted, such vague, or, in fact, no information is supplied to those who are to be burdened with the enhanced charge. Another difficulty of the people is that they do not get the settlement report, consisting of full information, till after a year and a half of the announcement of the assessments, although it lies ready even before the date of the issue of the vague notification. This simply means that the people should not get the opportunity of reasonably and properly refuting and criticising the reasons stated in the report by the Government officials for increasing the assessment proposed by them or, that they (people) should not have their petitions based on reliable information and facts or, that they (people) should not be armed with the necessary materials to refute the statements in the report. Where petitions are made, in the absence of the exacit information, replies are sent that they are groundless and deserve no further consideration. (*Shame.*)

Such is the state of things, under which the people suffer, and such is really the treatment that the people get at the hands of the Survey Department, which, as shown above, has proved itself unfair in its operations towards the villagers. This mode of silencing the people is worthy of condemnation.

Their device is first to arrange everything secretly without giving any previous intimation to the people and then to refuse to receive the complaints of the people as being too late. Will this way of taxation be preferred by the English and tolerated by the great British tribunal, the House of Commons? Gentlemen, with these few remarks, I commend the resolution to your approval. (*Applause.*)

Mr. Jeyrambhai Jowjarao Deshmook (Tanna) also supported the Resolution.

Mr. Venayek Nayaran Bagwat, a Government pensioner, asked the President to allow him to make a few observations before he put the resolution to the vote. Permission having been granted, he drew the attention of the meeting to the sentence in the resolution "whether in the Konkan talukas

especially more stringent limitations should not be enforced in regard to all proposals for the enhancements on individual holdings and old village groups, and whether full exemption of *varkas* cultivation and conversion into rice lands should not as a rule be guaranteed." He said that the Conference asked too much and asked that which was in fact unreasonable. Those who had had an opportunity of studying the records of the Tanna District would know for a fact that there was a time when Government did not know what to do with a part of the district on account of its yielding very little revenue. In fact, the income was so small that it was not sufficient to conduct the administration of such parts of the district. The population in the district in those days was very sparse, though it had increased of late on account of the means of communication—namely, railways and roads—having been introduced since into the district. There were still many places which were sparsely populated, and therefore all that land which was classed about twenty-five or thirty years ago as *varkas* land was, really speaking, not *varkas* land, but land which produced rice, and it was therefore too much to ask Government to exempt such land from higher taxation. He accordingly moved an amendment that the sentence he had pointed out should be deleted.

The President : Is any gentleman prepared to second the amendment? (Cries of "No," "No.")

The amendment accordingly fell to the ground, and the original proposition was then put to the vote and carried amidst loud applause.

Resolution II.

Professor G. K. Gokhle, M.A. (Poona), then rose amidst loud cheers to propose the second resolution as follows :—

That this Conference regards with feelings of dismay and alarm the rules which have been drafted by the Bombay Government to regulate first admission to the recently-constituted Provincial Service, inasmuch as these rules are calculated to seriously impair administrative efficiency in the Presidency by reason of (1) the exclusion of the Mamlatdars from the Provincial Service; (2) the prescribing of a ridiculously low educational test for entrance by competition; and (3) the complete subordination sought to be effected of the competitive principle to the principle of direct nomination by Government; and that this Conference is emphatically of opinion that the introduction of race or class considerations in the apportionment of posts in the public service is in direct opposition to the pledges given in the matter to the people of this country by Parliament in 1833 and by Her Majesty the Queen-Empress in 1858.

He said:

Gentlemen, before I proceed to a criticism of the rules drafted by Government, I think it would be well to explain briefly at the outset what this new Provincial Service is. In the despatches of most of the Local Governments and Administrations, it has been stated that the Provincial Service was the creation of the Public Service Commission, that the Commission formulated the scheme and Government merely adopted it. I venture, however, to say that

this is not merely an inadequate representation, but to some extent it is even a misrepresentation, for, gentlemen, the scheme of the Commission differed in two most important respects from the scheme subsequently adopted by the Indian Government. When the Commission sat and reported, our Public Service—I am confining myself to the Revenue and Judicial branches only—was divided into two parts, the upper part comprising all the posts reserved for the Covenanted Civil Service, from Assistant Collectors and Assistant Judges to Revenue and Judicial Commissioners and Members of Council, and the lower part, known as the Subordinate Service, comprising all lower posts up to the Deputy Collectorships on the Revenue side and First Class Subordinate Judgeships and Small Cause Court Judgeships on the Judicial side. Now the Commission proposed that, instead of this twofold division, the public service should be divided into three parts : the topmost part to be reserved for the Covenanted Civilians and to be called the Imperial Service ; the middle part to consist of a few posts detached from the old reserved Covenanted Service and some from the Subordinate Service and to be called the Provincial Service ; and the lowest part to consist of what was left of the Subordinate Service. Now this scheme of the Commission was on the whole most unsatisfactory, but one great merit of it was that it required Parliamentary legislation to permanently take away from the schedule of the Act of 1861 the posts that were proposed to be detached. But, gentlemen, when this question went to the Secretary of State, our great champion, Mr. Bradlaugh—(*loud applause*)—was living, and Lord Cross was somehow or other afraid of facing Parliament in Indian matters during Mr. Bradlaugh's life-time. (*Hear, hear.*) And the Secretary of State, therefore, decided to avoid the whole difficulty by trying to effect, by executive action under the powers conferred on him and the Indian Government by the Act of 1870, what the Commission wanted him to effect by Parliamentary legislation. Here was thus the first departure, and most important and at the same time a most unfortunate departure, from the lines laid down by the Commission. For, gentlemen, you can all understand that the guarantee afforded by Parliamentary legislation is infinitely more valuable than that afforded by a mere executive order which the Government could modify or even withdraw at its own pleasure. (*Loud cheers.*)

Another most regrettable modification of the Commission's scheme was that the quality and number of the covenanted posts proposed to be assigned to the Provincial Service was considerably reduced by the Government of India and the Secretary of State in passing final orders on the subject. Well, gentlemen, all this was bad enough, but the Commission and the Indian Government wanted that the Provincial Service should resemble, as far as possible, at least in form, the Covenanted Service, and because there is direct recruitment for the Covenanted Service, therefore they wanted that there should be direct recruitment also for the Provincial Service. And the question of framing the rules for regulating first admissions to the new service was left by them to the various Local Governments and Administrations. Here was then an opportunity for the Local Governments to show the stuff of which they were made, to show how capable they were of taking a broad and sympathetic and statesmanlike view of things. (*Cheers.*)

And how did the Government of Lord Harris choose to acquit itself in this matter? Why, gentlemen, the only answer that I can give to this question is that it acquitted itself like itself. (*Laughter.*) Its conduct in this matter was in entire keeping with its traditions. Gentlemen, you may remember that only the other day Lord Harris charged the Deccan with having become during the past twelve months a by-word for insubordination and disobedience. Well, whatever we may think of this accusation, one fact is clear, and that is that during these twelve months, and indeed more than these twelve months, His Lordship's Government has made itself a by-word for systematic blundering and for reaction. (*Loud and continued applause.*) I know, gentlemen, this is strong language to use. But when so high a person as the Governor of this Presidency allows himself to be so completely scared by the ghosts conjured up by the imagination of his subordinates and comes down from his pedestal to hurl charges indiscriminately right and left, it is time for us, humbler mortals, to speak out, and speak out fearlessly.

I will, therefore, respectfully suggest only one question to His Lordship. Let him ask himself in what condition he found this Presidency when Lord Reay—(*cheers*)—left the shores of India and in what condition he is now leaving it to his successor. Gentlemen, an unbounded faith in the infallibility of the official hierarchy, a careful and complete shutting out of all non-official light, a persistent and almost studied defiance of public opinion, and an obstinate clinging even to errors under the mistaken notion that that was a sign of strength—these have been the main characteristics of His Lordship's administration—(*loud cheers*)—and his conduct in this matter of the Provincial Service Rules has been marked by all these things. The general desire in regard to these rules was that the recruitment should be all by open competition and that the competitive test should be, as far as possible, identical with the Covenanted Civil Service test, so that it should not afterwards lie in the mouths of our opponents to speak sneeringly of the attainments of those members of the Provincial Service who might in course of time come to be appointed to the detached covenanted posts. But instead of this, what does the Bombay Government propose? In the first place, it relegates the competitive principle to a subordinate position in determining the mode of recruitment. Now it is all very well to say that the candidate who stands first in the examination is not necessarily the best of all the candidates. It is not a question of what is ideally the best mode of recruitment; the question is, what is the best method available? And from this point of view I am quite sure you will agree with me in thinking that open competition is vastly better than direct nomination by Government. The remarkable success of the Subordinate Judicial Service and the miserable failure of the Statutory Service are the two best illustrations of our contention. Then as regards the competitive test, the Bombay Government has proposed a curriculum so *ridiculously* low, it is difficult to believe that it could be the work of a responsible Government. (*Loud cheers.*)

Gentlemen, till the beginning of this year we were absolutely in the dark in regard to the intentions of Government in the matter. We had repeatedly before that urged for a publication of the proposed rules in draft form—even the last Conference passed a resolution containing this prayer—but the Government was pursuing its usual policy of secrecy and was preserving the silence of the tomb. But what the Government would not give us, an English daily supplied, and when we read the curriculum, surely it took our breath away. Here was a competitive test to be proposed for men who would one day be appointed Collectors and Sessions Judges and who would be placed on a footing of equality with those who had passed the Covenanted Civil Service examination—an examination stiffer in nature and wider in scope than a M. A. examination in the various groups. And yet the test proposed by the Bombay Government for these men is that on the literary side they should pass in one of the vernaculars of the Presidency and should have sufficient knowledge of English to write and understand official reports (*laughter*); on the mathematical side, they are to pass in arithmetic up to simple interest, algebra up to simple equations, and the first two books of Euclid (*renewed laughter*); on the historical side, they are to read a brief history of England and a brief history of India, and in addition they are to choose one optional subject. (*Loud laughter.*) Gentlemen, you will see that this test is far inferior even to our Matriculation or U. S. F. Examination. (*Renewed laughter.*)

Well, I think the mere reading out of this curriculum to you is the best condemnation that I can pass upon it. The next point in the proposed rules is the exclusion of the Mamlatdars from the Provincial Service. Here, however, it is necessary to observe, in justice to the Bombay Government, that it is not responsible for this exclusion. Our information is—and this information is supported by the tenor of the Government of India's reply to the memorial of the Sarvajanik Sabha—that it fought hard for the inclusion of the Mamlatdars, but that the Government of India disallowed the proposal for securing uniformity in all the Provinces. Well, gentlemen, this securing of uniformity at the expense of efficiency is, I think, a little too costly. The memorial of the Sarvajanik Sabha has dealt with this question of the Mamlatdars'

exclusion in all its bearings, and I don't wish to dwell on it any more in this place at this late hour. The last point in the rules which demands a protest is the introduction of race or class considerations in making appointments to the public service. And here, gentlemen, I am anxious that there should be no misunderstanding. I am one of those that have the very strongest sympathy with the backward classes. I feel, and feel most earnestly, that, unless the backward classes come up educationally into a line with those that are more advanced, real progress is not only difficult, but is in many respects impossible. But the way to bring these classes up is not by pitchforking their members into places for which they may not be fit, but by giving them special educational facilities. And, in adopting this remedy, it is the imperative duty of us all to earnestly co-operate with Government. Gentlemen, the sympathy professed by a certain class of people for the backward classes is often in reality a desire not to push these backward classes forward, but to push the forward classes backward. (*Loud laughter and cheers.*) While, therefore, we would welcome any special educational facilities which the Government would give to the backward classes, so far as the public service is concerned, we must insist that fitness, and fitness alone, should be the criterion of eligibility, as has been solemnly promised by Parliament and by Her Majesty the Queen-Empress. Gentlemen, I believe I have dealt with all the points mentioned in the resolution which I have moved. I know there is no hope that our protests and our prayers will be of any avail. But as it is more agreeable to live in this world with hope than to live without it, let us hope that Lord Harris will yet see his way to show some regard for public opinion in this matter. It may be a sign of strength to stick to one's own plan in spite of opposition, but I think it requires far greater and more real courage to turn back when the defects of your plan are pointed out to you. (*Loud and long continued applause.*)

Mr. Manilal Bhagubhai Javeri (Ahmedabad) seconded the resolution as follows :—

MR. PRESIDENT AND GENTLEMEN,

I feel very great pleasure in seconding the resolution that has been so ably put forth before you by Professor Gokhle. As many of the salient points have been already touched upon, I shall not now trespass upon your valuable time by repeating what has been already said, but I shall confine myself to a few minor points which have not been alluded to.

In our demand to be allowed an adequate share in the administration of our own country, gentlemen, we find that our cherished rights and privileges instead of being gradually increased, to our great regret, are constantly being diminished. This fact will be fully borne out when we shall remember that before the appointment of the Public Service Commission about 150 higher posts usually given to Covenanted Civilians were reserved for the natives of this country. Being dissatisfied we agitated for more and the result was the appointment of the Public Service Commission. This Commission, no doubt, failed to carry out the specific object for which it was appointed, *viz.*, to do full justice to the claims of the people of India to higher and more extensive employment in the public service. The ultimate result was that the Commission found the number of higher posts reserved for us too great and therefore it was reduced to 108, which was further reduced by the then Secretary of State to 93. The outcome of all this was the organization of the present Provincial Service scheme.

Gentlemen, in the drafting of the rules for the Provincial Service scheme, to our great disappointment, we find that the strongest recommendations of the Commission are set at naught. The Commission in its report observed as follows :—"As the conditions of admission to the Imperial Service aim at high English qualifications, so the conditions of the admission to the Provincial Service should be framed with a view to secure the best qualification in India." Is the test prescribed at all sufficient to fulfil the above condition? No. (*Cheers.*) The Board of Directors of the East India Company recommended whatever tests of qualification

may be adopted, distinction of race and religion shall not be among the number. Fitness alone was to be the criterion of eligibility. Another disappointing feature of the present rules is the introduction of the considerations of caste and creed in the selection of the member for the Provincial Service. This is clearly quite inconsistent with the solemn declarations made by the East India Company when forwarding the Act of 1833 to the Government of India and also with the pledges given to us in the famous proclamation, known as the Queen's Proclamation of 1858. According to the present rules the admission to the Provincial Service will be made partly by open competition, partly by nomination, and, in very exceptional cases, by promotion from the Subordinate Service.

As for open competition the test provided is ridiculously low. This so-called open competition is further accompanied by the absurd condition that the appointments to be filled up every year will be allotted in certain proportions to the various castes and creeds. Gentlemen, nothing more harmful, nothing more illogical, nothing more calculated to weaken the moral tone of the service could be conceived than laying down the principle that considerations of caste and creed and not fitness alone are henceforward to be a factor in the granting of public appointments. (*Hear, hear.*)

As to the selection by nomination no educational test seems to have been provided except it be the attainment of the qualification of knowing as to how one should ingratiate one's self in the favour of His Excellency the Governor and other highly placed officers who can influence him. Gentlemen, look where we may, in every department of service we find that the system of nomination has never been a success. This system can work well and yield good results only if the selecting authority has an intimate knowledge of all the candidates, and that, too, in an equal degree ; but this is impracticable in the case of such a constituted body as the Local Government.

In order to preserve the moral tone and to secure the highest efficiency in the service, it is very essential that a high educational test should be fixed and that no considerations of caste and creed, but that fitness, and fitness alone, should be the guiding criterion in the selection of candidates for the Provincial Service. Selection by nomination should be entirely expunged from the scheme. That the present system of selecting candidates for higher service in the Judicial Department, based as it is on high educational test, should be maintained.

Gentlemen, with these few remarks, I beg to second the resolution and trust that it will meet cordial reception at your hands. (*Applause.*)

The resolution was then put to the meeting and carried with enthusiasm.

Resolution III.

Mr. Dinshaw Edulji Wacha (Bombay), who was received with loud cheers, proposed the Third resolution, which ran as follows :—

"*I (a) That this Conference re-affirms its opinion expressed last year as to the justice and expediency of allocating to non-official elective members twelve out of the total number of twenty-five seats in the enlarged Provincial Legislative Council. (b) That this Conference places on record its deep regret that the Municipalities and Local Boards in so important a division as the Central Division, as also of Sind, have been left absolutely unrepresented in the enlarged Council, while other minor interests, like those of the European mercantile community, have been allowed over-representation. (c) That this Conference expresses its earnest hope that Government will see its way at an early date so to amend the present rules as to secure equality of privileges in the matter to the Municipalities and Local Boards in the different parts of the Presidency,*

II (a) That this Conference views with regret the unsatisfactory manner in which replies are generally made to questions put by honourable members in the Local Legislative Council, thus defeating the wholesome object with which the privilege of interpellation has been granted in the amended Councils Act, 1892. (b) That in the opinion of this Conference it is highly desirable and most expedient in public interests that the rules laid down regarding interpellation under the amended Councils Act, 1892, should be so modified as to enable honourable members to preface their questions by brief explanatory observations. (c) That this Conference is of opinion that, under the rules of debate prescribed for the Legislative Councils, the Provincial Council is the fittest and most legitimate place where, on the presentation of the Provincial Budget, could be discussed, with appropriateness and due responsibility, all questions affecting land revenue, excise, salt, assessed taxes, provincial rates, registration, and forests, and the administrative policy respectively governing them, so far as that policy is directly or indirectly under the control of the Provincial Government; and that it is highly prejudicial to public interests to curb such debate by interpreting the said rules in an extremely narrow and illiberal spirit."

Mr. Wacha said :

The resolution which I have just read to you is, as you must have noticed, divided into two parts, the first of which simply re-affirms that passed at the last Conference at Ahmedabad. The second is entirely new and called forth by the recent proceedings of the Legislative Council at Poona. But, gentlemen, I do not know whether I shall be able to do justice to my task, as I feel at the present moment that I am suffering under two disabilities. It is already growing late, while time is limited. That is a serious drawback. But it is nothing as compared to my nervousness caused by what I noticed on the platform a few short minutes ago. There was a myrmidon of the police—a member of that dreadful Detective Department. I do not know what business he had in our midst. (*Loud laughter.*) But anyhow, his appearance had made my heart to sink to the sole of my shoes. (*Laughter.*) I fear I am growing tremulous, and that my voice may fail me. (*Renewed laughter.*) But to proceed. As to the allocation of the non-official seats I said enough, and more than enough at the last Conference, and demonstrated to the hilt how the principle adopted by Lord Harris's Government was artificial, and how far it was illogical and inconsistent. There was over-representation and sad want of representation. Had the territorial principle, for which we prayed, been adopted, Lord Harris's administration would have never come to grief—(*hear, hear*)—and avoided the indignation with which it was deservedly overwhelmed. In endeavouring to give undue preponderance to what His Lordship curiously called the principle of interests, of races and creeds, worked with territorial interests where possible, his Government did the greatest injustice by leaving out in the cold so important a division as the Central. To have neglected to give a seat to such a division was really tantamount to sacrificing the best interests of the public, for I am of the belief that there is no division which is so far advanced in enlightenment, public spirit, and legitimate political activity as the Deccan. (*Cheers.*)

I pointed out at Ahmedabad how the interest principle wrecked the Government of Bombay in the matter of the seats. I said that in practice it has proved to be illogical and inconsistent. Of three or four instances of such official vagary I will give one here. The Bombay Chamber of Commerce was allotted one, while the Karachi Chamber got another—as if the interests represented by the latter were not identical with those of the former. The Karachi Chamber is simply an adumbration of the larger Bombay body,—its interests being the same. The seat allotted was therefore simply a waste. Properly speaking, it should have

been allotted to the Central Division, which would have removed all cause of complaint. But if distinct and separate interests were to be taken into consideration as regards seats, why were such two important and distinct interests as those of the Bombay Mill-owners' Association and the Native Piece-goods Dealers' Association absolutely ignored? But I need not further dilate on the subject; suffice to say in this place, that it is hopeless to expect anything like liberality and justice from Lord Harris who, as I have more than once observed, is simply an exalted Tory mediocrity. (*Laughter and cheers.*) His government is a government of rabid Tories—(*laughter and cheers*)—entirely inimical to the principle of the amended Councils Act. From the very day of the incep tion of the legislation it has expressed its open hostility to it. This may be read in the minutes made by members of the administration. So that it is not surprising that the Councils Act is at present being administered in a most narrow, illiberal, and perfunctory spirit every way. And now the rumour is, according to the newspapers, that the Northern Division is threatened with disenfranchisement. Poor Guzerat! what a fate for her! (*Laughter.*) Why, gentlemen, she is the fattest milch-cow of the Government in point of land revenue. Broach alone pays the highest revenue per acre in the whole of the Presidency, and yet this rich district is to be deprived of its newly-conferred privilege! I am aware that Lord Harris has recently observed, in rather vague terms, that there is no foundation for the rumour. We are bound to accept His Lordship's word. At the same time you should remember the old and trite adage, namely, "Put not your trust in princes." (*Laughter.*) Let me warn you not to put your trust in Governors, or for that matter, in that of any exalted mediocrities. (*Loud laughter.*) Princes and Governors and their tribes are seldom true to their promises as past history and present politics abundantly testify. Time would show whether the rumour after all turns out to be true. If true, you will not be slow, I am sure, to enter your indignant protest against a step so arbitrary. (*Cheers.*)

Coming to our new-fangled Legislative Councils, I dare say you have carefully read the newspaper reports of the sittings held at Poona in August last. The official report was published in the local official gazette two days ago. I might say that I was a silent spectator of those proceedings, and I was keenly disappointed at the manner in which the members of the Government seemed to go through their work. To me it seemed as if they considered it an unmitigated bore to have to sit out for two or three hours for two consecutive days and answer inconvenient and even awkward questions and hear pungent criticisms on their precious finance. (*Laughter.*) Judging from their procedure, it appeared to me that they looked too eager to scuttle through their so-called legislative programme and run away next door to the Gymkhana and discuss with a genuine gusto the programme of the sports which were going on there. (*Loud laughter.*) But let me come to my point at once. There were 56 questions put by the honourable members. These have been criticised by the official *Moniteur* as "formidable." The Council was called an interpellative body. Imagine 56 questions by eight non-official members within a twelvemonth. It comes to an average of seven per head. Are these too many? If Council meetings were frequent the formidable array would not strike so much. When we notice every day the number of administrative errors here, there, and everywhere, are seven questions per head, on the most vital subjects, affecting the weal or woe of the people of this Presidency, too many? I say they are ridiculously few and most reasonable. But what about the answers? I can at once tell you, gentlemen, that I fully confirm what was stated on this subject in the exhaustive and able address of the President yesterday. In many cases they were simply evasive, in many equivocal, and in many inadequate. To say that they were generally unsatisfactory is no exaggeration. I have here crossed fifteen of such cases, but it is impossible I can refer to them. Of what use are interpellations when such answers are vouchsafed? They defeat the very object for which the privilege was conferred. (*Hear, hear.*) The representatives of the people were to ascertain, from the properly-constituted and responsible authorities, the accuracy or the opposite of facts appearing in the press, or which were discussed by the public. If the answers left the questions where they were before, of what use is this privilege? I will be told that the same is the case

in the House of Commons. True, but the House sits six months in a year, so that the questioner has every means to eventually getting at the bottom of the truth. Then, there is a vigorous and vigilant press, with hundred tongues to trip ministers. Here, there is hardly anything of the kind. So it is imperative that answers should be not only full, but honest and frank. It is to be hoped the Government would improve in this matter. Coming to the discussion of the budget, a suggestion was made by the President to give themselves the right of voting. No harm could come of such concession; for constituted as the Council is at present, there can be no fear of the non-officials over-riding the officials. As a matter of fact, this exclusion of the privilege of voting on the budget is anomalous. On all other legislative measures members can divide, but on the all-important question of finance there is to be no division! No; they are a patriarchal Government, while we are grown-up children. They must take care of us; our parents dread lest we should throw up our filial allegiance and prove very refractory. (*Laughter.*) Need I say this is all bureaucratic presumption, and altogether un-English in spirit. (*Hear, hear.*) But let this pass also. What are we to say, however, touching what I may call putting the closure during a budget debate? May we ask whether it was fair on the part of the President to have called Mr. Javerilal to order, while criticising the item of land revenue in the budget? Are the representatives of the people to be debarred from criticising items of revenue which vitally affect public interests? Is not the land revenue directly under Government control? Is not the land revenue code the creation of the Provincial Government? Then why, in the name of that "common sense" to which Lord Harris appealed the other day, should honourable members be curbed in their criticism on local finance? (Cries of *Shame.*) I cannot refrain from expressing my opinion that budget debates will be a derision, a mockery, and a snare, if Government persist in adopting the course it did in the case of Mr. Javerilal. (*Hear, hear.*) The rules relating to the debate should never be strained and interrupted in the narrow and illiberal spirit in which they were unfortunately strained and interrupted by the President in Council. It would be scandalous to curb non-official members from expressing freely and fairly their opinions on important questions of provincial finance. (*Hear, hear.*) Let us all hope that in this respect, too, the Tory Government will improve. (*Loud laughter and applause.*)

Raô Bahadur N. G. Kirtane (Poona), in seconding the Resolution, said :—

GENTLEMEN,

I have great pleasure in seconding the proposition moved for your acceptance by my friend, Mr. Wacha; and in doing so I beg to bring to your remembrance one or two points connected with the history of our demand for Enlarged Legislative Councils, as I presume we may therein find cause both for a little congratulation and hope. (*Cheers.*)

Gentlemen, we all remember this demand for enlarged Councils was one of the planks that formed the platform of the Indian National Congress and that it was once formulated by the late Mr. Bradlaugh. Ushered in thus, our late two Viceroys, Lords Dufferin and Lansdowne, were pleased, in some measure, to grant us the boon and comply with the desire of the people. Thus far the Congresswallas may congratulate themselves upon the fact that their efforts were not entirely unavailing or, in other words, their demands were such as to meet with the approval of cautious and even conservative statesmen. It is to be regretted, however, that their compliance, especially as it has been worked out here, as all—at least many—of the demerits of a half-hearted measure or a concession but grudgingly made. The number of seats originally proposed or contemplated has never been adequately filled, and as a consequence there is much dissatisfaction and some heart-burning. The important Central Division of the Deccan has had to go without a representative of their own, and now Guzerat seems to be threatened with a withdrawal of what it has deservedly got. None really need be thus left out in the cold if the number of seats, which is confessedly inadequate to meet the legitimate aspirations of the people or, for the matter of that, the efficient and smooth working of the measure itself, were but slightly increased. May we in this connection bring to His Excellency Lord Harris's mind the generous words of advice which he vouchsafed to

the Mahrattas on a recent occasion that it was more honourable to give than to take; also not to take back, we presume, what has been once conceded ? There is not the least doubt that a little, very little, harmless concession would gratify the people and do away with the dissastisfaction that is visible. A better treatment of the interpellation and a wider scope of usefulness accorded to them may be equally satisfactory. But, says His Excellency, "cease rioting before asking for more rights." Hindus and Mahomedans may well lay to their hearts His Excellency's exhortations, but may we not make bold to ask His Excellency the question—if the progress of peoples were to be gauged by the sad occurrences to which some of the less thoughtful among them may have contributed to bring about—where in the scale of fitness to enjoy privileges and prerogatives, would the late strikers at London and Chicago land their countrymen ? (*Loud applause.*)

Gentlemen, two constitutional ways of redress of what we may conceive our grievances are open to us—(1) applying to the Government of India, and (2) applying to the authorities and people at home. Lord Lansdowne in one of his departing speeches has strongly advised us to look up more to the Local and Indian governments of the Governors and the Viceroy for the redress of their grievances and the gratification of their legitimate aspirations than to anybody or bodies anywhere else. Here, His Excellency said, the people would find more knowledge and more sympathy. Surely, the people of India would be quite content if they got what the late Viceroy said they would find and meet with at the hands of their Governors sent here. It rests with the latter to see that they govern the country well and righteously, and the Indian people so well known for their gratitude, even for what are considered small mercies, may well be left to do their duty by the Indian Government as they may be very safely trusted with the possession of the necessary common sense to know on which side their bread is most buttered. With an expression of this people so devoutly to be wished, I conclude, gentlemen, my brief remarks and ask you unanimously to accept the proposition laid before you by Mr. Wacha. (*Loud cheers.*)

Mr. Gokuldas K. Parakh (Bombay and Ahmedabad), who was received with cheers, said :—

MR. CHAIRMAN AND GENTLEMEN,

I have much pleasure in supporting the resolution that is submitted for your adoption. We must raise a strong voice against the small number of seats on the Provincial Council that are open to election and the manner in which they have been distributed. (*Cheers.*) The total number of seats on the Council are 25, out of which only 8 are open to election. Of these eight seats one is of the Bombay University, which represents the Educational interests of the Presidency. One of them is given to the Sind Zamindars, who are a small and very backward body ; and one is given to the Sirdars of the Dekkan, another small body, the most important members of which are not amenable to our laws or the jurisdiction of our Courts. While these small bodies of landholders send two representatives to the Council, the large bodies of the Talukdars of Gujerat, the Khots of Ratnagiri, the Chagdars and Narnedars of Gujerat, and the Inamdars throughout the Presidency remain quite unrepresented. The Bombay Chamber of Commerce, which represents the small European community of this Presidency, are allowed to give one representative ; but the important commercial interests which are represented by the Millowners and the Piece-Goods Merchants' Association are not given any representation at all. But Government are not content with giving a representation to the European commercial community through the Bombay Chamber of Commerce. The Karachi Chamber of Commerce, which is another body of merchants, is also given a representation. There are in all 31 firms of Europeans in Karachi, of which more than one-half are mere branches of the Bombay firms, and yet our Government have found it necessary to give them separate representation. In giving votes to these bodies, it seems that Government felt that they had too many and they did not know how to dispose of them. There are then left only three seats to represent the people at large, the Local Self-Governments of the country. One of these seats be-

longs to the Corporation of the City of Bombay, and between the four divisions of the Presidency there are only two seats, one to represent the urban and the other to represent the rural interests of the country. With only two seats to represent the people, it is necessary that some very important territorial divisions must remain unrepresented. Last time the omission of the Dekkan caused, for good reason, much discontent, and it was not long ago that we heard that the Northern Division will have at the next election to share the fate of the Dekkan. We thank His Excellency the Governor for his kindness in informing us that there is no ground for apprehending the omission of that Division. That may be satisfactory so far ; but so far as the number of the elective seats to represent the people at large is not increased, he cannot help omitting the general public of two of the four important territorial divisions of the Presidency from remaining unrepresented. (*Loud cheers.*)

Mr. Narayana Vishnu Gokhale (Bombay), who was received with cheers, said :—

Some of the points embodied in the present resolution have been so fully discussed on this and other platforms that I do not think that any lengthy observations on my part are necessary to commend it to your acceptance. It is a matter of deep regret, gentlemen, that while the three sister Presidencies upon which the right of recommending members has been conferred have had very little to complain of on the arrangements made by their respective Governments for the expansion of their Legislative Councils, the people of this Presidency alone should have been compelled to raise strong and repeated protests against the scheme of representation revised by the local Government. Some of you at least must be aware that the Bengal Government with seven recommendation seats at their disposal have assigned four for the representation of Municipalities and Local Boards. In the North-West Provinces Municipalities and Local Boards have been divided into four groups, each group being represented by a member. There only six seats were thrown open to election and four of them were assigned to Municipal and Local Boards. In the Madras Presidency all the Municipalities and Local Boards have been enfranchised and are represented by four members, though Lord Wenlock's Government had only seven recommendation seats at their disposal. The Bombay Government, with eight seats at their command, have given only two for the representation of rural and urban interests. Lord Wenlock, in justifying the enfranchisement of all the Municipal and Local Boards in the Southern Presidency, observed at a meeting of the local Legislative Council:—"If we restricted the number of Municipalities and Local Boards, as we might have done, and asked only a few of them to send up representatives, a large part of the country might have felt that they were kept out, and there would, therefore, have been dissatisfaction." Gentlemen, you know how these prophetic words were more than amply realized in this Presidency. Yet we are told that all the adverse criticism passed upon the action of Government is due not to want of sympathy or statesmanship on their part, but to their strict impartiality. To give over-representation to microscopic minorities and ignore the interests of majorities is one striking illustration of strict impartiality. The Karachi Chamber of Commerce is simply an adumbration of the Bombay Chamber, and as if to give a practical illustration of the story of the Three Tailors in the Tooley Street, to which Mr. Gladstone referred in his memorable speech during the passage of the Amended Councils Bill in the Commons, foreign merchants were given double representation, while the interests of native trade and industry were absolutely ignored. (*Cheers.*) Gentlemen, what would have befallen the Presidency, if Government had increased the number of elective seats to at least ten, it is difficult to divine. They would have still had an overwhelming majority. The Municipalities and Local Boards in Western India were established and are being worked under conditions more or less similar to those in the other Presidencies, and it required no very great political sagacity to foresee the certain dissatisfaction that the scheme of the Bombay Government was destined to produce. (*Hear hear.*) Quite recently, Mr. Cotton, a name with which you are quite familiar, in proposing the toast of the Indian Civil Service at Darjeeling, observed that what was required in these days of change from his brother officers was not simply administrative capacity, but higher qualities of statesmanship,

and that statesmanship, according to Mr. Bright, consisted in foreseeing difficulties. The omission of the most advanced division in the Presidency, containing two capitals of the Mahrattas, and the certain deprivation of the division or other of the franchise conferred upon it at every interval of three years, must lead to perpetual but needless friction between the people and Government. Nobody likes to be left out in the cold in the midst of his peers; no one likes to part with a hard-earned privilege, and it should never be forgotten that no amount of plausibilities or sophistries ever succeeds in giving complete satisfaction to people who have a substantial grievance. Whatever little hope the Central Division entertained is now, it appears, destined not to be realized. Gentlemen, in his Sholapur speech, which, with all due deference to His Excellency, I must call one of the lamentable blunders of his administration, His Lordship observed that he had respect for the Mahrattas for having written a chapter on Indian history, but that, as they had lost the confidence of Government, he would not be in favour of enlarging the privilege already enjoyed by the Deccan. Gentlemen, although the Mahrattas lost power after completing their chapter, they have not fallen back in intellectual and moral development under the benign influences of British rule; but, on the contrary, distinguished themselves in the different professions and in the different branches of the administration thus greatly facilitating the work of Government. The Hon'ble Mr. Justice Jardine has borne testimony to this fact in his learned paper on the establishment of a University at Rangoon. Is it, then, fair to contend that they do not deserve to be enfranchised because some thoughtless Hindus and Mahomedans choose to wrangle over a petty matter? If that contention is sound, those who have been enfranchised will have to be disfranchised for precisely the same reason. You know, gentlemen, what happened in this very city and at Belgaum. But I have never heard it suggested that the Hon'ble Mr. Javerilal, the Hon'ble Mr. Mehta, or the Hon'ble Mr. Natu should be deprived of their seats in the Legislative Council. Gentlemen, the right of discussing the budget, such as it is, is not a very extensive privilege, and it is to be regretted that an attempt should have been made at the last sitting of the Legislative Council to further curtail that right. Gentlemen, a latter day sage has remarked that there are three degrees of lies—lies, internal lies, and statistics. My friend Mr. Wacha, who is himself so well-versed in figures and has done such valuable service in the discussion of the military expenditure question, will never accept this dictum. At the same time there is no doubt that figures as figures cannot speak for themselves. They are like dry bones into which blood and flesh has to be put to invest them with real significance. Financial results are the outcome of administrative measures, and no discussion of particular items can be of much value, unless examined in the light of the policy which produces those items. It is not the product that is of importance, but the machinery which requires to be carefully examined. (*Hear, hear.*) Gentlemen, the Hon'ble Mr. Javerilal has ably discussed this question in his exhaustive and thoughtful address. I will not, therefore, detain you further than to remark that if His Excellency's ruling on the point raised by the Hon'ble Mr. Javerilal is right, then, the discussion of the budget is destined to be a mockery and a delusion. The ruling is capable of indefinite extension to other branches of revenue, and virtually it means that Councillors must sit like dummies, silently contemplating the numerous figures supplied to them, like the gods of Epicurean philosophers, who simply contemplate the beauty of the universe without troubling themselves about mundane affairs. Land revenue is the sheet-anchor of provincial and imperial finance. The question of enhanced assessments has become the question of questions, and with the exception of the Hon'ble Mr. Ranade, it would be impossible to point to any other gentleman in this Presidency than the Hon'ble Mr. Javerilal who could be expected to deal with it with intimate knowledge of the subject. When petitions are addressed to Government by ignorant men, it is complained that they contain only vague statements and disclose no grievances. Baboos and Brahmins are discredited agitators, while men like Mr. Javerilal are precluded from ventilating a glaring grievance of the people in the Council Chamber, where alone, according to Lord Lansdowne, criticism directed against Government measures can be effectively replied. This is, gentlemen, a very unfortunate position both for Government and the people, and the Conference has done well to bring the present subject to the notice of Government in a very prominent manner. The right of inter-

pellation is even a more valuable privilege than the right of academic discussion of the budget. Councillors have freely availed themselves of it since the very first sitting of the Enlarged Provincial Council. I believe that the total number of questions put by honourable members comes to something like one hundred. They embraced a variety of topics. Some of the interpellations related to educational, municipal, revenue, abkari and judicial branch of the administration; others related to the medical service, the Chemical Analysis department, the Petit Institute, the tobacco department, railway development and administration, religious riots, local option and various other administrative and miscellaneous matters. There were also questions regarding the grievances of Inamdars, Sardars, Watandars, and Khotes. Gentlemen, while Government complain that the comments upon their measures are not well-informed, the public in their turn complain of the veil of secrecy under which the intentions of Government are shrouded. Interpellation is a powerful agency for checking official vagaries, removing administrative abuses and spreading correct knowledge regarding official acts and intentions. The number of questions put shows in how many directions the public through their representatives are anxious to gain further light and information. But it is a matter to be deeply deplored that Government should have in many instances given very misleading, or utterly evasive and useless, replies. It will not be difficult, gentlemen, to cite instances. Take the questions that my friend, Mr. Chimanlal, put regarding the appointment of an official President to the Bandora Municipality, when a distinguished native member of the Bombay bar had signified, in response to a request communicated to him, his willingness to accept the presidentship and remission or one lac of rupees and a half to the Khandeish liquor farmer. What the public wanted to know were the specific grounds on which Government based their decision, and instead of stating them in a straightforward manner, Government were good enough to say that they did what was best under the circumstances. This can scarcely be called a very *bonâ fide* attempt to enlighten public opinion and remove misunderstandings. I will cite to you another instance to prove how Government at times assume inconsistent positions in replying to interpellations. The Hon. Mr. Chimanlal put a question regarding the degradation of an educational officer in Surat based upon tolerably well-founded allegations made in a certain native paper. It was remarked by Government in course of their reply that they were not bound to take notice of irresponsible contributions in newspapers. Yet, gentlemen, His Excellency himself condescended to give a flat contradiction to the absolutely unfounded allegations which appeared in the *Bombay Guardian* with regard to the disposal of the Opium Defamation case. (*Loud laughter and cheers.*) Gentlemen, if time permitted, I might go on multiplying instances to further illustrate my observations. It only remains for me to express my sympathy with the prayer on the resolution for a further extension of the right of discussing the budget and interpellating Government. Whatever the attitude of the present administration towards the enlarged Council, the ultimate responsibility for the proper working of the amended Councils Act rests with the Viceroy. This was made distinctly clear in the speeches of eminent English statesmen delivered in Parliament and the House of Lords. We are all grateful for the privileges conceded to us, but we contend that their exercise shall not be unduly fettered. Let us hope we will not fail to obtain justice and sympathy from the Provincial Government; but if unfortunately we do not succeed, we look up to Lord Elgin to place our rights and privileges on a reasonably fair and liberal basis and thus fulfil the solemn promise His Excellency has often repeated to the people of India that His Lordship's administration will be worthy of the noble name and traditions he has inherited. (*Loud applause.*)

Mr. Mulji Bhowanidas, who was well received, said :—

MR. CHAIRMAN AND GENTLEMEN,

The resolution I am called upon to support is one of vital importance to this Presidency. When the Indian Councils' Act Amendment Act of 1892 was being passed into law in Parliament, it was held out to us that under the regulations that would be framed out under the Act, we would have substantial representation by election and the non-official element would prevail.

But, gentlemen, what do we find? Out of twenty additional seats, eight only are allotted to the electoral bodies to recommend, while the remaining twelve seats, of which nine are for officials and three only for non-officials, are reserved for nomination. Is this substantial representation by election? I say no, and we cannot but come to the conclusion that what was held out to us has not been carried out.

Again, under the rules which have been framed for the conduct of business in the Legislative Council of this Presidency, when the financial statement has been explained every member has a right to make observations, but under Rule 5, he is not allowed to enter into criticisms on imperial finance. Now, every financial statement, whether provincial or imperial, has items of revenue and expenditure in which the administrative policy of the Government is involved, and if a member be prohibited from making observations on the ground that they relate to imperial finance, the result will be that no member will have an opportunity to express his views on such policy, however unsatisfactory it may be to the public. I say that liberal construction should be placed upon these rules, and no member should be prevented from offering his remarks unless they relate to matters exclusively imperial.

Then under the rules, a member asking a question on matters under the control of the Governor in Council, has to give six days' notice in writing submitting his question in full. He can read the question in Council and then an answer is given by the President or some other member deputed for the purpose. This right of interpellation is a wholesome measure. The member in charge of the answer does not suffer, but can appease the mind of the public by giving a satisfactory answer. It brings the grievance to the notice of the Executive, who can remedy the evil by adopting measures satisfactory to the public. For instance, the Hon'ble Mr. Setalvad, some time ago, asked a question about the low salaries of the masters of the indigenous schools in this Presidency, and I am informed that measures have been, or are being, taken to increase them. But, gentlemen, many of the answers are either evasive or unsatisfactory, and in order to have complete and satisfactory answers, it is essential that the member asking should be allowed to state his object in writing or by making observations in Council confined to such questions. This procedure is adopted in the House of Commons, where a member has a right to make observations or state the source of his information upon which he has framed out his questions.

I really fail to see why when this privilege is conferred the rule of the House of Commons has not been adopted here. The above rules are said to be tentative, and I hope that they will be amended in such a manner as the public may appreciate. (*Loud cheers.*)

The resolution was then put and carried unanimously.

The President then adjourned the Conference until the following day, Sunday, November 4th, at 8-30 A.M.

Third Day's Proceedings.

The Conference re-assembled under the presidency of the Hon'ble Mr. Javerilal, at 8-30 A.M., on Sunday, November 4th.

The Hon'ble Mr. Chimanlal H. Setalvad, who was received with cheers, moved the fourth or "Omnibus" Resolution :—

"That this Conference re-affirms its resolutions of the previous years on the subjects of salt, police, abkari, forests, local self-government, village sanitation, and separation of judicial and executive functions, but in doing so expresses its satisfaction at the present enunciation of the policy of the Government of India in regard to forests, and hopes the spirit of the resolution will be loyally carried out."

Mr. Chimanlal said :—

MR. PRESIDENT AND GENTLEMEN,

Let me assure you that I am not presuming to take upon myself the task of driving your now heavy-laden omnibus. (*Cheers.*) The veteran driver of your omnibus, my friend Mr. Wacha, has driven it in the past so well and smoothly that you cannot entrust that task to better hands, and it is with his indulgence, gentlemen, that I now stand before you only for the purpose of asking you to permit an additional passenger to ride in your omnibus. That passenger is the resolution about the separation of executive and judicial functions. (*Cheers.*) It is needless, gentlemen, to say anything now in support of this reform, for all the responsible authorities, including Viceroys and Secretaries of State, of both political parties have admitted its extreme desirability. (*Hear, hear.*) But the objection urged against it is one of cost. There is money sufficient, gentlemen, to waste on exchange compensation, on gubernatorial tours, durbars, and grand tamashas, but there is no money to carry out this most urgent reform. ("*Shame,*" "*Shame.*") The Hon'ble Mr. Mehta, in his able minute on the question which was laid before you at Ahmedabad last year, has suggested a very happy method of carrying out the reform at a very little additional cost, if at all, by transferring the magisterial work to the subordinate judges. But, gentlemen, what reception did it meet from Government? Last year, when he indicated these suggestions subsequently embodied in his minute, several official members joined in ridiculing them. When he again pressed it this year, at the time of the budget discussion and suggested the appointment of a Committee, no answer at all was vouchsafed to that request. Gentlemen, such a treatment may pardonably lead one to doubt the sincerity of Government when they call the desired reform a counsel of perfection. The special feature of Mr. Mehta's scheme, gentlemen, is that it proposes to transfer the criminal work to subordinate judges. This would secure for criminal justice judges not only better trained but more independent. How necessary it is to have judges who are practically subordinate only to the High Court, and have nothing to do with the executive branch was brought prominently to my mind by a little incident that occurred during a recent trial of a case in a mofussil town in which I appeared for the defence. It was really a very small matter in itself, but it shows how the present system moulds the official mind. At the close of the sitting one evening I applied to the Court that the case be not taken up on the next day as it was a Hindu holiday, and the prosecuting counsel said he did not object to my application. And, gentlemen, what did the Magistrate do ? He called the police officer who was instructing the prosecuting counsel, seated him near himself on the bench, and held a private consultation with him in open court for about five minutes before he could make up his mind whether or not to grant my application. ("*Shame,*" "*Shame.*") Then, after some time, the Magistrate announced his regret to comply with my request, as the Collector, in consultation with whom he had fixed the case would not like such an adjournment. (*Hear, hear.*) Gentlemen, I again pressed my application, and the Magistrate sat in conclave again with the police officer, and after a few minutes granted my application. Of course, as I said, this is indeed a very small matter, but it shews how an officer whose interests are bound up with the executive department does not feel himself at liberty even to dispose of an ordinary application for adjournment, practically agreed to by both sides, and to which the Magistrate himself was apparently not opposed, without consulting the police officer in charge of the prosecution. Gentlemen, you will agree with me that we must repeat our resolution about the desirability and manner of carrying out this much-needed reform. I will not now further detain the omnibus, and request Mr. Wacha to drive it with this additional passenger that I have given him. (*Loud applause.*)

Mr. Dinshaw E. Wacha, in rising to second the proposition, was received with loud cheers. He said :—

No doubt Mr. Chimanlal was right when he said that I was a veteran driver of your omnibus. But I feel that I am getting old and toothless—(*laughter and cheers*)—having

driven the coach not only at this Conference, but also at the Congress. I am glad, therefore, that on this occasion a new and vigorous driver should have been appointed in the person of my friend, Mr. Chimanlal, and I should have been relegated to the back seat. (*Laughter and cheers.*) I shall now proceed to speak of the various points in connection with the omnibus resolution ; which, first of all, directs our attention to the salt revenue. I believe that we have said enough at previous Conferences respecting the terrorism exercised by inspectors on small dealers and others in reference to the smuggling of salt. There have, in past years, been High Court prosecutions in reference to this matter ; and you will remember that, about two years ago, the High Court put its foot down on some of the most illegal practices of the inspectors and the police. The police who are supposed to check disorder were the very first to break the law. The High Court has, however, put them on their good behaviour. (*Cheers.*) You will remember the case which came before Mr. Justice Birdwood three years ago, in which an old woman was put to trouble for having a pice worth of salt in her possession. Since then we have heard very little of these irregularities and vexatious restrictions. The High Court may well be called the palladium of our liberties. What would become of our liberties without it? (*Cheers and laughter.*) The salt revenue is in itself a very large subject of Imperial policy, but of course it is not necessary to enter into it at any length at this Provincial Conference. With regard to local self-government a great deal was said last year at Ahmedabad, and the year before at Poona, by my friend Mr. Nam Joshi. It is felt that in each Municipality, where Government exercise the control of appointing the President, there ought to be besides an executive board an executive officer, so that the latter may perform his duties under the authority and with the sanction of the former. What happens now is this: that very often there is a division in the Municipal Camp which is divided into two parties, one taking the official view and the other the non-official view. A tug-of-war comes on, and there are conflicts which, to say the least, do not advance the interests of self-government. But I will not say much on this subject now, because, as you know, only last September a Conference was held at Poona for the furtherance of the cause of local self-government, and when the full report of the proceedings is issued we shall, no doubt, learn a good deal on the subject. As to village sanitation, you know it was some four or five years ago, in the time of Lord Reay, that the first bill on this subject was introduced into the Legislative Council. The Bombay Presidency Association memorialised Government at that time in regard to those parts of the measure which referred to local cesses and the raising of loans and other contributions. We pointed out that the villagers themselves had very elementary notions indeed in regard to sanitation. No doubt we should hear less of cholera if more attention was paid to the water-supply of villages and their sanitation. But the villagers are very conservative, and are not at all inclined to alter the practices which have prevailed for the last three thousand years. We said they must be coaxed, and sympathetically coaxed, into adopting the provisions of the Act. To them small burdens are heavy, and they ought not to be asked to pay for sanitation ; for some time to come at least Government ought to undertake the cost. The so-called system of "voluntary contributions" cannot be relied on. It is something like the old *veith* system. The district officer comes round, calls the men of the village together, and partly by bullying and partly by flattery, gets them to consent to pay a contribution. It is then said that such-and-such a village has given its contribution *voluntarily* and it is held up in district reports as an example to other villages! But there is something behind, in the same way as there is something behind when hole-and-corner meetings are held to promote subscriptions for statues to retiring Governors and others—(*laughter and cheers*)—something behind, as in the case of Lord Lansdowne's statue, in which the poor princes were screwed and screwed until money was wrung out of them. The memorial of the Presidency Association, to which I have alluded, had its effect, and some objectionable clauses were removed from the bill—(*cheers*)—although others remained. The Governor of Bombay speaking in another place, a month or two back, said that the villagers must not be forced into adopting the provisions of the Act, but gradually coaxed into doing so. That was exactly the thing we said four years ago—(*laughter and*

cheers)—but they would not believe it! Now they have been obliged to admit it. But that is always the way with the bureaucracy; they will not believe what we tell them until they can no longer shut their eyes to the fact. It is just the same in regard to military expenditure. After we had hammered away at it for years, Sir David Barbour and Sir Auckland Colvin have delivered themselves on the same subject. They now confess that it is the military expenditure which is embarrassing the finances of India. It is only when such men talk that Government begins to open its eyes. Is that statesmanship? I must say that, as far as statesmanship goes, it has vanished from the country since the day Lord Dufferin landed on its shores ten years ago. (*Hear, hear, and laughter.*) The resolution also refers to the police question. Previous Conferences have passed resolutions in favour of the recruitment of a better class of policemen, to keep watch and ward over the Presidency. You know very well what has been the policy of Government of late, not only in Bombay but also in the mofussil. It has been a policy of stern repression—"You are such bad boys; you are always disturbing the peace of Government. So you must all be put down with a strong arm." This is in substance what our rulers say. The Government are bent upon having a strong police organization everywhere—which means more money and less efficiency, as has been proved in the cases of Wai, Yeola, and Poona. (*Loud cheers.*) I would not criticise the whole Indian police. There is no need to do so since such an out and out official apologist as the *Pioneer* has condemned them. (*Laughter.*) When *we* speak on the subject we are denounced as windbags, but when the *Pioneer* takes up the matter, of course, it is all right. He talks substance and sense! This is the way they give heed to the voice of the people! (*Laughter.*) Gentlemen, the growing expenditure on the police of this Presidency is a very serious matter. You will be astonished when I tell you that our expenditure for the whole of the police, including the city, has risen from forty lakhs in 1889—six years ago—to fifty-six lakhs, the figures given in the latest budget. There has thus been a growth of sixteen lakhs in five years, and what have we got in return? Why, dissatisfaction all over the Presidency? (*Loud laughter.*) In the recent trials it was clearly shown that the police were all tutored and had perjured themselves. This is our precious police for which we are paying sixteen lakhs a year more than we did five years ago! The most extraordinary thing about it is that the outlay on its maintenance is very heavy compared to similar outlay in Bengal and Madras. It is greatly in excess when we take the cost per head of the population. In fact, all sorts of provincial expenditure, whether it is police or anything else, are in Bombay always in excess of other provinces. I suppose the reason is that Bombay is looked upon as a rich "kingdom," and therefore considered to be able to afford lavish expenditure. (*Laughter.*) That is a matter on which I hope non-official members will have a good deal to say in the Legislative Council on the occasion of the next budget debate. (*Hear, hear.*) As to the abkari policy of Government the subject is one upon which I have spoken and written so much at Congress and on other platforms that it is unnecessary for me to say more about it, more especially as we have on the platform this morning such a veteran temperance worker as Mr. Dantra, a veritable David going out single-handed to meet the Goliaths of the Abkari Department. (*Cheers and laughter.*) For instance, you know how Mr. Dantra has exposed the trickery and mystery connected with the remission of a lakh and-a-half of rupees to a liquor farmer, whom I tremble in my shoes to name. (*Laughter.*) Mr. Chimanlal put a question to Mr. Trevor on the subject at the last meeting of the Legislative Council, and Mr. Trevor gave a most unsatisfactory and evasive reply, unworthy of a member of Council. (*Cheers.*) Mr. Dantra has fully vivesected that official in a series of articles in the *Times of India* and *Bombay Gazette*, and I take this opportunity to thank those journals for the great service they have done in allowing those letters to appear. I acknowledge that service with thanks and gratitude. (*Cheers.*) Well, Mr. Dantra exposed the whole of the trickery, but no Government official has endeavoured to make a reply in the columns of the two dailies. We know that there are certain people inspired from time to time to defend the policy of the Government in the Press, but so far not a single letter or article has appeared in defence; so that it is very evident the case is rotten from top to bottom. (*Hear, hear.*) The abkari revenue goes up year by year by

leaps and bounds. Ten years ago our provincial receipts amounted to 70 lakhs of rupees ; they are now 102 lakhs, which is a growth of 45 per cent. In Bengal the abkari revenue was 92 lakhs in 1882, now it is 115 lakhs, or only seventeen per cent. This difference is all the more remarkable when we consider that Bengal has a population of seven crores, while Bombay has only one and three quarters—that is, only one-fourth of the Bengal population. And yet we are always hearing the old but exploded cry from Government about the "maximum of revenue with the minimum of consumption." That is all nonsense, for if you examine the detailed figures you will see there has been a great increase in consumption during the last ten years. The obnoxious farming system of Government has brought home to the doors of every village that cheap nasty liquor called *mowra*. It is clear that the policy of Government is not to stop consumption but to put as much money as possible into their treasury. Mr. Dantra has pointed out that the system is one which inevitably leads to drinking. Is that a righteous policy ? (Cries of "No.") They are always bringing up the phrase "India is sober compared to the United Kingdom," meaning by that that the consumption of alcohol per head is not so great in India as in Great Britain. But you must remember that the United Kingdom has a climate where, they allege, alcohol is required. Not so in India where the people have been sober for centuries. It is a legend to say that India has in the past been a drinking country, and to say that India is sober because, compared with England, she consumes less alcohol proportionately per head of the population. The omnibus resolution also refers to the forest administration. It gives me very great pleasure to say that Government policy in regard thereto has undergone a new departure, which we owe to the statesmanship of Lord Elgin, whom we warmly thank for the forward steps he has taken. (*Cheers.*) As Mr. Javerilal said in his speech, we hope that this new departure may be the harbinger of a new policy which may be more sympathetic towards the people than it has been. (*Loud cheers.*) The *Pioneer*, which in former years supported the harsh forest regulations, now turns round and favours the change. It is the way of the *Pioneer*. It is never consistent—(*laughter*)—and I suppose it enhances the credit of the paper not to be so. The *Pioneer* says : "Generally it may be said that Government will relinquish several lakhs of revenue, so that the cultivator may be freed from harassment, but there will be no loss in the long run. The Supreme Government will cordially support provincial governments in providing for local requirements, and this being so we should hear less of petty tyranny and persecution." We thank the Allahabad paper for the latest declaration of its views on forests. I may say this that there are two cardinal points involved in the resolution. The first is enunciated in the eleventh paragraph in which it is laid down that the poor may have greater latitude in regard to clearing plots for cultivation. I shall read it over to you :—

Para. 11.—"It has been stated in paragraph 9 above that our main object towards which the management of their minor forests should be directed is, the supply of fuel and fodder 'to the greatest advantage and convenience of the people.' In doing so, due regard must be had to their habits and wishes. It may be that strict preservation and periodical closures, or the total prohibition of grazing, will result in the largest yield both of fuel and of fodder in the form of hay. But that is of small avail if the people will not utilise the increased supply in the form in which it is offered them. The customs of generations alter slowly in India ; and though much may and should be done to lead the people to their own profit, yet it must be done gently and gradually, always remembering that their contentment is no less important an object than is their material advantage. It must be remembered, moreover, that the object of excluding grazing from the preserves in question is the advantage of the *neighbourhood* ; and that the realization of a larger income than grazing would yield, by preserving the produce, only to sell it to the highest bidder for consumption in large towns at a distance from the preserve, is *not* always in accordance with the policy which the Government of India has inculcated."

Then as to the other principle which is laid down in paragraph 14th. It refers to grazing rights.

Para. 14.—"It is to be distinctly understood that the Government of India do not desire that grazing should be looked upon primarily as a source of income. But it by no means,

follows that all revenues from scattered Government lands should be relinquished. It is, indeed, inadvisable that this should be done, as to do so would give the ryots an interest in opposing allotment and making things unpleasant for new occupants. But the objections to direct management which have just been pointed out are reduced to a minimum or altogether avoided when the management is placed in hands of the resident cultivators or of representatives from among them. It will generally be possible to lease or otherwise manage the unoccupied lands of a village through the agency of the community; not, indeed, at the highest price which they are ready to pay to escape such evils as have just been alluded to, but at a moderate estimate of their value to them, fixed in view of the fact that herds and flocks, which cannot exist without grazing, are often a necessary condition of the successful conduct of that cultivation upon which the Government land revenue is paid."

You will thus see how far the Government of India recognises the importance of grazing land, because it is evident that where the cattle do not get fodder, cultivation dies out. In saying this the Government of India have rightly diagnosed the reason which has compelled them to carry out the reform. For the sake of the land revenue, as well as for the good of the dwellers, it is to be hoped that the new forest policy initiated will be carried out fully and satisfactorily. With these observations, gentlemen, your veteran driver resumes his back seat. (*Loud cheers.*)

Mr. Narayen Krishna Gharat (Alibag) supported the Resolution :—

MR. PRESIDENT AND GENTLEMEN,

The subject of Forest laws involves a question of present inconvenience as well as a question of customary right. Where a deprivation of the latter is not in conflict with public interest no special attention is paid to it; but where it is attended with injury of any sort, we must, in appealing to Government, take our stand as much upon the infringement of such a right as upon the hardships or oppression consequent thereon. (*Applause.*) From time immemorial it had been the custom in this country to allot all forest lands for the free use of the people and especially for their cattle. Whatever faults or shortcomings may be laid at the door of the Native Governments that preceded the British rule, it is certainly to their credit that their laws regarding forest regulations were far more lenient than those existing at present. The farmer could then prepare rabi for manuring his fields, could procure fuel for his kitchen, could fence his fields and gardens, could take his cattle to graze, and the forests were a free source of supply. (*Cheers.*) Why, this state of things continued under the British themselves until their mercantile genius revealed to them this particular field for making revenue. Forest laws were then enacted which had the effect of restricting—alas! in course of time extinguishing—many of these privileges till at last they have now come up to that stage at which even the farmer's domestic animals are practically to have no pastures left to them for grazing! (*Hear, hear.*)

A perusal of the recent grazing regulations will at once convince you of their intricate and oppressive nature. The farmer can no longer depute a son, a daughter, a servant-boy, or even his wife to watch after his herd of cattle; nay, gentlemen, in some instances he cannot be a fit person to undertake this once very simple function himself. The herdsman of a farmer that needs take his cattle to graze in the forest lands set apart for the purpose must now be possessed of qualifications that are not thought necessary even for the forest guards of Government. He must possess almost all the qualifications of a forest guard beside those properly required for his avowed calling of a herdsman, and he must do the duties of both; at the same time he must have a very strong physique. He must be capable of understanding all the complicated duties imposed upon him as also the responsibilities attending a failure of their performance. If a part of the forest takes fire, he must help in extinguishing it and will not be excused if the affrighted animals under his charge or those of any other trespass over any forbidden part of the forest. He must be diligent in watching that no animals not possessing a right to graze in the block where he is permitted to take his herd trespass on it. In fine, he must be a paid

servant of his master as well as an unpaid—or the poor fellow might think it a compliment to be an honorary—servant of the Government. The herdsman shall also have to put on his buckle and his leathern belt. The farmer who might choose to watch his own herd and be qualified for the purpose shall also have to do the same. If he must engage a servant, he must be prepared to pay enormous wages ; if he must be his own herdsman, he must allow the whole of his year's labour to go a wool-gathering by absenting himself from the farm at such busy times as the sowing, transplanting, and reaping seasons. Those only of you, gentlemen, that might have an experience of rural life, or at least might have been closely acquainted with it, can form a true idea of the burden imposed upon the agricultural population. But this is not all. The regulations will prove equally, or even in a greater measure, vexatious in another direction—I mean in the fees laid down for all animals not required for such immediate agricultural purposes as ploughing, &c. (*Applause.*)

Henceforward a farmer wishing to take advantage of the forest grazing grounds cannot breed cattle without having a heavy tax imposed upon his herd. If his plough oxen or buffaloes die or be in any way incapacitated, he must no longer look for a fresh supply from his own manger, but must be prepared to buy new pairs. Professional dealers in cattle will have to pay for their animals double the fees leviable on farmer's animals, so that, if they at all continue in their trade, which it will hardly be possible for them to do, they must ask very high prices for herds of cattle. When the farmers are to get manure for their fields, they must look up to themselves.

Then there are the petty little sircars—the village officers—who are authorized to gather together the herds of a village at any place and time sufficient excuse for them to give as much trouble to the farmers as they might choose to think necessary to give the people an adequate idea of the dignity of their officer's high position. But, apart from the trouble caused to the farmers, what is to become of the poor animals themselves? The impoverished peasants can hardly afford to feed them at home or take them to the forest under such stringent rules. We have in this Presidency a society for the prevention of cruelty to animals, and we need now to have, gentlemen, a society for the prevention of starvation of animals, aye, and of their owners as well, and we can hardly do anything better in the interests of our country than to form ourselves into such a society and to represent their case to Government as fully and forcibly as we can. (*Loud applause.*)

This is an excellent time for us to do so. The Government of India have been pleased to issue a resolution which is a valuable document revealing to us the policy which the Government of India intend to pursue with regard to forest administration. The sole object, says the resolution, "with which State forests are administered is the public benefit." Are you now prepared to believe that the grazing resolutions of the local Government have this sole object in view? Are you prepared to believe the various restrictions which they contain are calculated to give impetus to agricultural enterprise? I suppose not. While the Government of India declare in one form or other in almost every paragraph of their gracious resolution that it should be distinctly understood that considerations of forest income are to be subordinated to those of satisfaction, the local authorities try to assuage the people. (*Cheers.*)

Mr. P. B. Dantra was warmly received on rising to support the motion. Subjoined is a translation of his speech, which was delivered in Guzerati :—

An immoderate use of bhang, ganja, opium, or spirits may lead to a deterioration of health and even to death. But I would challenge anybody to prove even deterioration of health—let alone death—from toddy. Toddy may be alcoholic. But when alcoholic substances are heated, the alcohol in them evaporates, and toddy is generally drunk hot after the alcohol in it has evaporated. Besides, it is spiced with pepper, garlic, and molasses, and then it becomes doubly nutritious, and does no harm in whatever quantities it be taken. One shopkeeper used to sell it thus spiced, but he was prohibited by the Abkari Department. On writing to the Collector of Bombay on this subject I was informed that in the license granted to the shopkeeper there was no provision for spicing.

Now I come to the root of all the evils in the Abkari Department, namely, the farming system under which one monopolist is granted the whole drink traffic in a district. This system is the cause of the corruption prevalent in the department, and promotes dishonesty amongst the contractors. Common sense can tell us that an irresponsible monopolist would resort to dishonesty and carry on his business by bribery and with hardness upon the consumers who, if they want at all to purchase liquor, must purchase it from him. The people look with suspicion upon certain officials. The farming system—the *fons et origo malorum*—is black, and it is impossible to whitewash it. It is necessary for the sake of the honour of the British Empire that it should be swept away. The Native States have farmed out various revenue departments to contractors, but the British Government forced them to do away with the monopoly system. It is a disgrace to the Bombay Government that it still sticks to this vicious system in defiance of public clamours against it. (*Hear hear.*) The Government of Madras abolished the system on the recommendation of a Commission of Inquiry. The results of the change are described by the Government of India in their despatch to the Secretary of State, dated 18th February 1889.

With the Abkari Act of 1878 the system of farming was introduced. Tenders were invited and were given to the highest bidder. The farmer could distil as much liquor as he chose and sell it at the price fixed by Government. Thereafter the duty per gallon was fixed and the contract was given to the person who guaranteed the maximum of consumption. If the contract were thus to be given to the highest bidder, some favourites of the department would have to be disappointed. To prevent this Mr. Pritchard hit upon a most artful device. In 1882 Sir Charles (then Mr.) Pritchard attempted to introduce the farming system into Surat, but the Government of Sir James Fergusson wisely yielded to popular opposition and disallowed the proposal. When some time later two or three distillers were detected fraudulently distilling liquor of greater strength than they paid for, Sir Charles seized upon that incident to secure greater power for the Abkari Department and introduced the farming system. Tenders were invited ; but care was taken that the tender should be given to the favourites of the department. Intending tenderers were referred to the Collector of Surat for detailed information. On enquiry at the Collector's Office they were told that the tenders were for one year and the farm to be allotted did not include Mandvi Taluka. The tenderers seeing that the farm was to be given for one year only, and that, in the event of their tender not being accepted next year, they would have to sell off their plant and other stock-in-trade, as also that the area did not extend to the whole Surat District, tendered a small amount. Here was a plain dodge. The farm was finally given to Mr. Dadabhai Dubash by a private arrangement, not for one year according to the information from the Collector's Office but for three years, and that including the taluka of Mandvi together with the monopoly of toddy traffic in half the taluka of Mandvi !! All this was given for Rs. 4,75,000. Thereupon, the tenderers complained that, if the terms on which the farm was given to Mr. Dubash had been made known to them, they would have offered a lakh more than Mr. Dubash. But their complaint was unheeded. They then consoled themselves with the thought that on the expiry of the three years they would tender higher amounts and get the farm themselves. But they were doomed to disappointment ; they were not favourites of the department. The Surat farm has never been allowed to go into other hands than those of Mr. Dubash. It has always been given to Mr. Dubash by a private arrangement without inviting tenders. At last, when the cry against this scandal grew very strong, the Government, in order to save appearances, did invite tenders this year from the 1st of August for three years. But, as I said at the time to a newspaper editor, it was only as a blind to mislead public opinion. The farm was again given to Mr. Dubash. It would be too long to give you a detailed account of the sufferings of the people and their complaints against the spirit they get. I have already published the whole history of the Khandeish farm, and I will hereafter do the same in regard to the Surat farm. I trust my account will be read with interest by all who have at heart the welfare of the poor in this country. The story of the Surat farm is an exact counterpart to that of the Khandeish farm. Those of you who have read my account of the latter will have seen what disgraceful, infamous

transactions are going on in the department. After I published my account a Parsee gentleman who has some experience in the liquor business of two talukas and who is now in Bombay informed me that he had tendered Rs. 7,50,000 for the farm which was given to Mr. Dubash for Rs. 5,40,000 by private arrangement. (*Hear, hear.*) It is enough to state this fact. All people will draw their inference themselves. When Mr. Caine denounced the system of maximum guarantee as leading to intemperance, the Abkari Department had recourse to another device. Knowing the consumption of past years, it fixed a certain amount as the probable consumption of the years for which tenders were invited, and demanded a guarantee for that amount leaving the contractor to make good any deficiency. In case the actual consumption exceeded the estimate he had to pay additional duty for the excess. The farms were to be given by the Abkari Commissioner who was given an opportinuty of patronising the favourites of the department. Sir Charles Pritchard gave the three or four farms for opium, liquor, etc., to Mr. Vakil, of Ahmedabad, who had nothing to do with the liquor business. The Nasik farm has been given to a gentleman who has livery stables and a furniture shop in Bombay, both being gentlemen who seem to be unacquainted with the business and who possibly did not understand the meaning of terms like London-proof, underproof and overproof, till after they had run the business. In the Deccan and in the Northern Division the consumers being all poor have no means of bringing their grievances to the notice of Government. In Surat and Thana where some of the consumers are well-to-do people there have been loud complaints. It is said that Mr. Vakil who got the Bassein and Salsette farm had stipulated that he would also sell toddy-liquor, together with mowrah, but from whatever reason, he does not keep toddy-liquor at all the shops under his control. Toddy-liquor is not so unwholesome as mowrah liquor and a proof of how the people are tantalized, even starved by want of toddy and toddy-liquor, is to be found in the letter of a respectable Christian gentleman of Bandora which was published in the *Times of India* of 30th August.

The East Indian Association—composed mostly of Indian Portuguese gentlemen—has memorialised Government on the subject, but no answer has as yet been received from Government. The Abkari Department seems to be even kinder, if possible, to Mr. Vakil than it is to Mr. Dubash. The Government has no feeling for the poor. The contractors are mostly my co-religionists, and I regret to say that, in spite of large gains for themselves, some of them give such low pay to their servants as to force them to dishonest ways of making money. (*Hear, hear.*) Some of their servants are paid Rs. 100 to Rs. 200 a year, and have from that meagre sum to defray incidental charges, such as carriage hire, etc. Others who are more rapacious still extort a "kusur" from the consumers—a dishonest practice which the Hon'ble Mr. Trevor described as follows when he was Abkari Commissioner :—

"Nay, not content with this, they sell the good-will of their shops. They deduct 'kusur,' when giving liquor to the shopkeepers. They receive the money without any money orders or bills which might be brought in evidence against them. They bribe Abkari Inspectors to co-operate with them in their dishonesty and connive at their fraudulent grant of less liquor than they are paid for." It is a most painful fact that the poor consumers have to suffer in consequence of all these villainies. I will read you a letter from a Parsi gentleman, now a retired Government servant, which will throw light on this question. The post-card I have in my possession will show how liquor-contractors co-operate with Government officials in grinding down the poor. The tyranny of contractors is no new thing ; it is a very old evil. A deputation of respectable gentlemen from Bombay and Thana was sent to Poona with a petition to Sir James Fergusson signed by 25,000 men, from which I will quote some extracts.

The Abkari Department defends the system on two grounds : (1) that it brings in the revenue in a lump sum all at once to the Government, and (2) that by the minimum guarantee principle it secures the co-operation of the contractor with Government in checking illicit distillation. Both these grounds are untenable. If the arrangement is advantageous from a financial point of view, why does the Government force the Native States to abolish the system ? And why does it not farm out other items of revenue in a similar manner ? Why confine the system to the Abkari only ? Secondly, granting that the contractor is interested

in checking illicit distillation, is it not equally true that the people require some safeguard against the tyranny and rapacity of the contractor? What remedy have the people got against him if he does not give them the full amount of liquor they pay for? Against these universal complaints the Government say that the inspectors do all this. But is it not possible for the contractor to get the upper hand by greasing the palm of the inspectors? Moreover, could not control be exercised by the inspectors if separate licenses were given? The contractor pays no license-fee. If now separate licenses were to be given and moderate guarantees demanded from the licensees against illicit distillation or any malpractice on their part, the system would work much better. Besides separate licenses would have this advantage that a healthy competition and rivalry amongst the shopkeepers would force them to give wholesome liquor and satisfy their customers in every way. The system has been abolished in Madras to the advantage of both the Government and the people. Why it has been kept up in Bombay is a mystery known only to the Abkari Department and the liquor contractor, and let us hope to God. The abolition of the system in Bombay would effect a gain of from 15 to 20 lakhs to the Government and people. Some of you might be aware that most of the sugar we use is imported from Mauritius and elsewhere. Sugar could easily be manufactured in our own country but for Abkari restrictions. The French Government give a bounty on the manufacture of sugar. But our Government seems bent on crushing it. When the saccharine juice from which sugar is made is concentrated by heat and other means, the sugar separates in grains from the bye-products. Now it evidently would not do to throw away the molasses. It is generally used to distil rum from. But the Abkari regulations obtaining in this Presidency do not allow the manufacturer of sugar to sell his rum to the great detriment of the sugar manufacturing industry in this Presidency. An enterprising Parsi gentleman erected a factory at Poona in the hope that he would be allowed to sell his rum. But the Government disallowed him on the ground that the sale of rum by him would interfere with the monopoly in spirits granted to the liquor contractor. As, however, the contract system prevails all over the Presidency except the city of Bombay, the sugar manufacturer can sell his rum only in Bombay. But in bringing it to Bombay he has to incur a large carriage expense and is moreover subjected to a heavy customs duty which makes it impossible to sell it at the price at which imported rum is to be had in Bombay. The German rum of 168° overproof costing one shilling in Germany free on board (a gallon of which diluted with four bottles of water gives spirit of 250° underproof) is made from rotten rice and potatoes. When the duty on imported spirits was Rs. 4 a gallon, rum used to be imported from Shahjahanpur in the North-Western Provinces and from Aska in Madras, but the increased duty has ruined the indigenous rum and set a premium on unwholesome foreign stuff. The Abkari Commissioner, Mr. Spence, has explained the decrease of Indian-manufactured rum brought to Bombay in his report for 1888-89, para. 62.

What an injustice! The department is convinced that worthless foreign stuff drives away the finer home product, acts as a slow poison on the consumers, and crushes an indigenous industry. But still it does not lessen the duty on the home manufacture. Nay, it does not allow the Poona sugar refiner to sell his rum on the spot even on the payment of the high duty, the only reason for this extraordinary procedure being that the department wants to stick to its farming system even though the system crush the growth of a native industry. I leave you to judge how provoking, how disgraceful this policy is.

Cologne water is imported in large quantities from Germany and has to pay a duty of Rs. 8 per gallon, and if exported against receives a drawback. But the Parsi Cologne water manufacturer of Navsari, who pays an excise duty of Rs. 8 per gallon, gets no drawback when he exports his article.

In the Bombay Presidency no man can remove without special permission more than a gallon of spirit and four gallons of toddy from one place to another within a unit of area nor more than a dram of toddy or a dram of spirits from one area to another. Now a dram (*i.e.*, a wine glass) of toddy is worth about a pie and a dram of spirits about an anna or an anna

and-a-half. But he can take whole railway wagons of English spirit from place to place without permission. Good country spirit is to be had only in Bombay, and the people of Bombay prefer it to imported foreign spirits. Now suppose a consumer of country spirits is urgently called abroad and wants to carry with him, say, half a bottle of spirit, he would have to apply to the inspector for a special permission and wait till he gets a reply. If he cannot wait all the time, he has, perforce, to take English spirit with him. If a person in Surat or Navsari wishes to send its well-known toddy to a friend or relative outside, he has to get a special permission for it. If he neglects to do it, he is liable to a fine of Rs. 1,000 and six months' rigorous imprisonment.

The foreign liquors we get are mostly continental and of low quality and operate as a slow poison on the system and drain away our money, and it is a matter for regret that Government encourages the use of poisonous drinks. Twice the Bombay Presidency Association memorialised the Government to appoint an independent commission of enquiry, but the Government, perhaps through fear of an exposure, have sent no reply to either.

What then, gentlemen, is our remedy in our sufferings? The nerves of the Abkari Department seem to gloat upon our sufferings and to take delight in increasing them. We have no hope from the Government of Bombay. Our only hope seems to me to lie in calling a public meeting here to memorialise the Secretary of State and Parliament, praying them for redress against the tyranny of the Abkari Department.

The year 1878 witnessed the passing of both the Abkari and the Forest Acts. A year before the passing of these black enactments which have ruined and do still ruin innumerable people in this Presidency, a land-owner could with pride look upon his estate and the produce it would yield. But this very natural pride vanished in a year. There was no flood. There were no conflagrations. But these unspeakable enactments proved a greater curse to holders of property than the combined evils of flood and fire. In that year Mr. Mulloch (whose name will rouse hatred in the hearts of delegates from Surat and Thana) was Collector of Thana. He sent forth a most Draconic order prohibiting by severe penalties a land-owner from cutting even so much as a branch or slip from the trees on his own estate except on payment of heavy license fees. The people complained against the injustice of having to pay for the use of their own property. But their complaints were of no avail. The Abkari Act established the right of Government over toddy trees, and directly the Act came into force the owners of toddy trees found themselves deprived of the right of tapping toddy trees, even on payment of the duties which had been increased at one jump at rates varying from 500 to 1,600 per cent. Only monopolists could tap toddy trees and sell toddy, raw or distilled. Who these monopolists are, I will presently tell you. Well, they are persons who, not content with the profits of honest licensed sale, have—in many cases dishonestly—enriched themselves by wringing their hard-earned money out of half-starved and half-naked ryots by the sale of spirits weak in quality, and less in measurement than they were paid for.

It was Lord Lytton's Afghan War—the cause of immense loss of human life and of money—that called these enactments into existence as financial expedients. Then Mr. Pritchard assured a too eager Government that, if he were left to have his will, he could bring in lakhs in the shape of revenue. The heartless, rapacious Government of Sir Richard Temple fell in with the proposal. The late Mr. Bengalee, who was then a member of the Legislative Council opposed the idea of lessening—however slightly—the existing facilities for the obtainment and consumption of toddy which, he said, was a staple of food with the poor and was used by them in place of curry in eating their rice. But in its frantic efforts to increase the revenue the Government closed its ears to his counsel of wisdom and carried the bill in a packed Council. For three years after the passing of these Acts the people were subjected to the most grinding tyranny and one after the other their proprietary rights were snatched by the Forest and Abkari Departments. Popular well-being is the condition of loyalty as popular misery is of discontent and disloyalty; and I will give you, from my own experience,

an instance showing what curses this monstrous legislation brought on the heads of Government. About the time of the taking of Kabul by the English I happened to be crossing the deck at Oomergaum. Among the passengers with me was a Jabu Brahmin agriculturist who told me that the Afghans had taken Delhi. I assured him that I had read in the papers that the English had taken Kabul. He replied that the papers published as the Government instructed them to do. I then asked him where he got his precious information from. But, instead of giving a straight answer to my question, he asked me in anger whether I was a friend of the British rule. Wish is father to the thought, and I could plainly see that it was his sufferings incited him to speak as he did. The man was a victim of governmental tyranny. I can give another instance of an outward manifestation of popular indignation against these two Acts. It was the first of its kind in India. "Galled past endurance" by the tyrannical administration of these Acts, the leading men of Thana resolved to convene a meeting to memorialize Government, and sent notices of the meeting to every accessible corner in the district. On the appointed day whole droves of men came flocking to the place of meeting, some by rail, some on foot, travelling distances in not a few cases of close upon 100 miles. The Collector of Thana, who was not then in town, came to the place of meeting on information reaching him and attempted by a promise of redress to persuade the people to dissolve the meeting. But the people were implacable. An open-air meeting was held. The reporter of the *Times of India* places the number of the assembly at 3,000, while the Secretary of the meeting, speaking through the *Rast Goftar*, places the figures at 7,000. Even taking the lower figure, the fact must be considered a portentous one where the people are known for their patient and silent endurance. In 1882, when Sir Charles (then Mr.) Pritchard was Abkari Commissioner, it was at his instance mainly that the Mowrah Bill was carried in spite of the unanimous protest of the non-official members. But the measure was vetoed by the righteous government of Lord Ripon. A committee of inquiry was appointed, and the Conference will, I have no doubt, listen with attention to the evidence of Mr. Sadashiv Moreshwar Sathe, a pensioned Mamlutdar, who urged upon the Government the necessity of acting in accordance with popular opinion in the manner of the ancient kings of India. Let us now respectfully pray the Government still to change their policy in a manner that would reflect honour upon the British Government. So long as Lord Harris is at the head of affairs in this presidency, I fear there is no hope of a redress of our grievances. Lord Harris' unsympathetic administration has darkened the last lingering ray of hope in the hearts of the people. Whatever faith he may have in the power of the sword, he is an enemy of the British Government who degrades that benign rule by basing it on other foundations than those of popular well-being and popular contentment.

From its very inception the Abkari Department has made it its policy to raise the revenue by stimulating the consumption of liquor. But to effect this it is necessary to diminish the consumption of toddy, for in the dry season the people care little for liquor so long as they get toddy. Toddy contains albumen and saccharine, which are very nutritious food, and a bottle of toddy can well replace solid food. It contains less of alcohol than beer, and even that little is produced after it has been kept for three hours. Dr. Lyon, Chemical Analyser to Government, in his report to Government, says that, on an examination of two specimens of cocoanut toddy which had been kept for four hours, he found that one contained 9·2, the other 8·8 per cent. of alcohol; after 24 hours they both contained 13 per cent., and there was no more rise in the percentage after 48 hours. A similar examination of date toddy showed 4 per cent. in four hours, 9 and 6 per cent. in 24 hours, and a little over 9 and 6 per cent. in 48 hours. A similar examination showed that German beer contains 9·10 per cent., London porter 7·34 per cent., Bass' beer 13 per cent., and stoutest Guinness's beer 18 per cent. of alcohol. On comparing the taxes on the two, we find, while the duty on beer is one anna a gallon, that on toddy varies from 2 to 2½ annas a gallon. The license fee varies from Rs. 9 or Rs. 10 to Rs. 2,000, while the Poona brewer, who sells thousands of gallons, pays a license fee of Rs. 50. In Surat, where the greatest mischief has been done, toddy is four times taxed.

Then there is the tapping tax. Then there is a license fee of Rs. 20 for every 25 trees. Even after paying this tax, the licensee is not allowed to sell toddy. The right of selling toddy

at licensed shops is allowed by auction to the highest bidder. The selling price has been fixed by Government at rates varying from 3 to 4 annas, which, compared to the duties to be paid, is so small that it is impossible for the vendor to make any profit without adulteration.

As mentioned above, the Abkari Department saw from the beginning that an increase in the liquor-tax would stimulate the consumption of nutritive toddy and has to this day spared no efforts to crush it out of existence. Below are figures showing the consumption in the first three years of raw toddy and of liquor in the Thana District :—

	Raw toddy in gallons.	Liquor in gallons.
1879-80	86,535	546,734
1880-81	137,241	581,554
1881-82	154,741	740,061
	378,517	1,868,349

From the above table it will be seen that the average annual consumption of toddy was 126,272, while that of liquor was 122,783 gallons. The annual rate per head of population was one bottle of toddy and 4½ bottles of liquor. What is the reason of this difference? The reason is that the license for toddy was given to the liquor contractor, who, attracted by the larger gains to be made in the liquor business, discontinued the sale of toddy. When thus discontent was spreading amongst the people, who could not get toddy, the Mowrah Bill of 1883 was brought into the Council at the instance of Mr. Pritchard. There were at the time six non-official members in the Council—Mr. Macaulay, President of the Chamber of Commerce; Sir Jamsetji Jejeebhoy ; the late Rao Sahib V. N. Mandlik ; the late G. H. Deshmukh ; the late Solomon David Sassoon ; and Mr. Budrudin Tyabji. These members showed no lack of energy. They did not owe their seats to a promise given beforehand to support any measure the Government might bring. Mr. Macaulay and Sir Jamsetji especially made the minutest personal inquiries and opposed the measure with vigour.

Some liquor contractors visited Sir Jamsetji, hoping to win him over to their side, but he remained firm, and in his speech in the Council said that the measure was intended as a sop to the liquor contractors. In a lengthy speech Mr. Mandlik vigorously stood up for toddy and condemned mowrah liquor. But his words might be discounted by the objection that he was a native of India. I will, therefore, quote a few words from the speech of Mr. Macaulay, who, being a European, had nothing to do with either toddy or mowrah liquor. He said : " The proposal does not affect the Europeans nor does it affect the wealthy natives ; it is the very poor alone who will be sufferers. Fresh toddy is largely consumed by the poor agriculturists who are not represented here, and it is on their behalf that I appeal to you not to carry this amendment." These words do no little credit to the person uttering them, and, if the officials were men of this character, there would be none of the discontent at present existing. The measure was carried by an official majority, but was vetoed by Lord Ripon's Government. Two reasons mainly have induced me to make this lengthy reference to what is now ancient history regarding the Mowrah Bill of 1882. The first is that I want to show how honourably the non-official Members of Council acquitted themselves on the subject in 1882 and how mindful they were of their duty towards the people ; secondly, because some orthodox Hindu gentlemen and their exponents in the press, who take an active interest in public affairs, look upon this question of the drink of the poor as no concern of theirs and are indifferent to it. But I would request the gentlemen who adopt this line of thought to bear in mind the fact that Mr. Sathe, Mr. Mandlik, and Mr. Deshmukh, who were also orthodox Hindus, did not consider their religious views as setting a bar between them and their duty to the public. For you must remember that the present abkari policy forces the people to resort to strong drink by depriving them of mild drink and thus ruins them both in money and in health. The prosperity of Government and of the trading classes is connected with the happiness of these poorer classes. But even our friends in Parliament—Mr. MacLaren, Mr. Smith, and Mr. Caine, who, as total abstainers, are opposed to all forms of intoxicants—have been complaining that the restrictions placed on toddy by the

Bombay Government are a positive hardship on the poor. It was only last year our friend Mr. Samuel Smith presented to Parliament a petition from Mr. M. J. Talyarkhan on behalf of the people of Thana. If, therefore, Hindu gentlemen are anxious to diminish the consumption of liquor, they ought to give up their attitude of indifference and join together in a demand for cheaper toddy. The Government of India, writing to the Chief Commissioner of Burma in July 1892, say :—

"A heavy duty should not be imposed on toddy, lest, owing to over-taxation, the people should be driven to have recourse to stronger drink or injurious drugs."

The Hon'ble Mr. Crole, the head of the Revenue Department in Madras and Abkari Commissioner from 1889 to 1893, in his evidence before the Hemp Drugs Commission on January 22nd, said :—

"I have no reason to suppose that the consumption of the drugs is on the increase, but I should think that the probabilities are that it is on the decrease, because under the regulations a healthy liquor is available in toddy, and distilled liquor and probably drugs also have suffered. Toddy has been driving out distilled liquor I find. As I have no reason to suspect increase in drugs, I fancy the same operation is going on there. The toddy traffic has been placed under strict regulation, a better liquor is provided, and there is no possibility now of forcing the sale of distilled liquor against fermented liquor. This seems to me a great benefit, like the substitution of light-gravity beer for Hennessy's brandy."

Shortly after Lord Ripon's Government vetoed the Mowrah Bill, the people of Dahanu and Oomergaum in the Thana District petitioned Government complaining that toddy was not to be had, and Sir James Fergusson's Government resolved to take away the license for toddy from the liquor contractor and to grant a separate license for toddy. The Hon'ble Mr. Mackenzie, the present Abkari Commissioner, who was then Collector of Thana, reported as follows on the working of the new system :—

"One of the most noticeable features of the past year is the introduction of the sale at the tree's foot and in licensed shops of fresh toddy. It was eagerly taken up by nearly all classes of the community in Dahanu and Oomergaum. Parsees (of whom there are many in Oomergaum), Dublas, Bhandaris, and even some Brahmins availed themselves of the privilege, and one result is, setting aside the increased revenue, the allaying of discontent in that part of the district, while another pleasant feature is that offences committed by those toddy licensees were but few, being but six in all, and of these, convictions were obtained in only four cases. There is no doubt that there will be a considerable increase in the current year of the revenue from these licenses, and I hope that breaches of the Abkari law in connection therewith will be proportionately few" (Abkari Report, 1882-83, para. 54). It is a matter for regret that the official who, as Collector, reported on the advantages both to Government and to the public of facilities for the consumption of toddy should, when Abkari Commissioner, allow an increase in the tax and the already vexatious restrictions on toddy. Lord Reay's Government, convinced of the grievances of toddy consumers by this report, as well as by the report of the Bombay Commission of Inquiry, forbade the grant of licenses for toddy to liquor contractors. But Sir Charles Pritchard could not brook this wise step and, during his reign as Revenue Councillor of the Bombay Government, re-imposed all the odious, vexatious restrictions and taxes on toddy which remain undiminished up to date. Mr. D. E. Wacha, the enthusiastic Secretary of the Anglo-Indian Temperance Association, sent a memorial to Government praying for the relaxation of the restrictions on toddy, in which he showed conclusively, on the strength of facts and figures, that the sole object of the restrictions on toddy was to stimulate the consumption of liquor. A more impregnable document was never presented to Government. It distinctly established two points : first, that the duty on toddy is greater than that on liquor relatively to the amount of alcohol in each, and secondly, that the claims of promoting temperance made by the Abkari Department were a sham. One fact quoted in the memorial will well bear repetition : a Parsi

gentleman of Oomergaum applied for permission to buy 3 gallons of strong bevada, 9 gallons of mild liquor (rasi), and 20 gallons of toddy on the occasion of a marriage feast. He was given permission for the liquor to the full amount applied for, but was allowed only 4 gallons of toddy, though there is no Government restriction of this kind as to the amount of toddy a man can get on special permission. The Government shirked a reply to the memorial, but, after repeated persistent inquiries, Mr. Wacha succeeded in eliciting a very lame reply. (*Applause.*)

Dr. Joseph Benjamin (Ahmedabad) said :—

MR. PRESIDENT AND GENTLEMEN,

The omnibus has been so very ably driven by the Hon'ble Mr. Chimanlal Harilal Setalvad and Mr. Wacha that my weak support to it might retard its onward progress, though, however weak my support may be, it will not be lacking in sincerity. Now, as regards salt, as a medical man I may tell you, gentlemen, that it is necessary for the very existence of life. Wherever there is a deficiency of salt, leprosy and that scourge of diseases—cholera—prevail to a great extent. However, as the Government of India have taxed it heavily, the poor people and cattle do not get it in sufficiency, and the consequence is that they suffer. It is, therefore, necessary that Government should reduce the tax and relax the rules as regards the Salt Act. Now, as regards abkari, let me tell you, gentlemen, that drink is on the increase in India. However I do not think it is the wish of Government that it should so increase here. His Excellency Lord Harris said, in a speech delivered four years ago at Ahmedabad, where he was requested to grant the concession of local option in regard to the opening of liquor shops, that, if for instance 49 per cent. of the residents of a locality wanted that there should be a liquor shop for them in that locality, it was his duty to look to their interests. But, gentlemen, are the interests of the majority to be sacrificed to the interests of the minority? Certainly it cannot be the wish of Government that the liquor shop-keepers should, by opening their shops against the wishes of the majority of people, thrust down liquor into their throats against their wishes. (*Cheers.*) We simply want at present the concession that wherever two-thirds of the population of a locality desire that a certain liquor-shop in that locality be closed, it should be closed, and that a new shop should not be opened in that locality if they do not desire it. Certainly our paternal Government, which is a Christian Government, should accede to this our humble prayer. The concession has already been granted to the people of the United States, and even in England there is a movement going on about it. One good result of the Opium Commission, which was appointed by Government through the instrumentality of Mr. Caine, the leader of the temperance movement in England and India, and who deserves our highest thanks for his disinterested efforts in our behalf, has been that even Government officials had to admit before the Commission that drink was much worse than opium, and that it was necessary to check its use, which was now on the increase in India. We, therefore, beg to appeal to Government that this humble prayer of ours may be heard. Now, as regards local self-government, let me tell you, gentlemen, that it is merely a sham and a delusion in some taluka towns. I tell this to you from personal experience as I was connected with taluka local self-government for some years. There generally the Mamlatdar is Chairman of the Municipality, and therefore everything is done as he desires. Non-official members cannot speak anything against his wishes, which must always be carried. If any one tries to go against his wishes, he is sure to suffer, as the Mamlatdar has got both executive and judicial powers as well as the power of the imposition of income-tax. It is, therefore, necessary that not only the Mamlatdars should not be appointed Chairmen of Municipalities, but they should not also be nominated as members. Now, as regards the next subject of village sanitation, which is of such vital importance to the masses, who form the back-bone of this vast empire, Government has passed the Village Sanitation Act, but it has not yet been brought into force, as the question of money seems to block the way. It has already been stated during the first resolution that the ryot has been very heavily taxed as is evident from the enhanced land assessment. When such high taxes are taken from them, it is the duty of Government to do something for the poor villagers out of them in return. The ryot

is unable to bear any extra taxation because now, as he is, he generally has to live on insufficient food. It is, therefore, necessary that Government should spend the local cess collected from a particular village on that village alone, and not outside it as is done at present. If this be done, no additional rates will have to be levied on the already over-taxed villager. His Excellency Lord Harris, in his speech at Bijapur the other day, said that he was considering the subject of appointing itinerant medical practitioners for villages. We would highly be indebted to His Excellency's Government if the project be carried into effect. These Hospital Assistants should also be entrusted with the work of looking after the sanitation of the places they visit, so that the work may be properly done. Villagers require pure water, conservancy, and superficial, or, as it is otherwise called, surface, drainage. It is also essential that the necessity of these things should be impressed upon villagers, which cannot be better done than by giving them education. Gentlemen, I cannot allow this opportunity to pass without expressing from this public platform our gratefulness to that philanthropic lady, Miss Florence Nightingale, for her disinterested and generous efforts to improve the sanitary condition of our villages. Now, as regards the last subject of the separation of judicial and executive functions, let me tell you, gentlemen, that the sooner it takes place the better. Gentlemen, you know but little what goes on in taluka towns in the mofussil. There nobody dare go against the Mamlatdar's wishes. The Hon'ble Mr. Setalwad has said that there will be a little more additional expenditure if this scheme be brought into force. But I say there will be no additional expenditure at all, because, when the magisterial work will be taken away from Mamlatdars, the revenue work of more talukas than one can be entrusted to them. (*Cheers.*) Besides, there are Deputy Collectors and Assistant Collectors whose half-pay is debited to Law and Justice. But when the magisterial work is taken away from them, there can be placed two Assistant or Deputy Collectors in a district where there may be three at present and one where there are two, and the saving thus effected out of their pay, as well as by giving Mamlatdars more talukas than one, should be used in appointing Sub-Judges for magisterial work, and as they have done their work creditably on the civil side, there is no doubt that they will do it equally well on the criminal side. (*Loud applause.*)

Mr. Vithal Mahadev Dhamankar (Alibag and Bombay), in supporting the Resolution, said :—

I wish to address this meeting on the subject of forest administration. After the enactment of Act VII of 1878 by the Government of India, the ryots were subjected to great oppression and their rights of thousands of years' standing were taken away from them. The complaints of the peasants, who could no longer enjoy the privilege of having fuel and materials for agricultural implements free of charge from the forests, attracted the attention of Lord Reay, who, by Government Resolution No. 5977, dated 24th July 1885, appointed the Forest Commission to enquire into their grievances, and to this Commission I have served as a Secretary for the Kolaba Collectorate.

The purpose for which the Commission was appointed was not accomplished in its entirety ; only the immediate difficulties of some people were removed. The Forest Commission did not grant all the requests of the ryots, but only served to lessen the oppression and *zooloom* which the inferior officers of the Forest Department practised upon the people. The ryots have still to pay for fuel and materials for implements which they have to get from the forests. Still there were up to this time no injunctions laid upon the peasants' cattle to graze in the forests, and these have been sought to be imposed by the circular which has made its appearance under the signature of the Oriental Translator to Government. People have been holding meetings throughout the taluka to protest against these grazing regulations, and I am one of the delegates who have been elected at these meetings to represent the ryots' grievances in the deliberations of this Conference.

These new regulations affect the people, not only in pecuniary matters, but in others also as I hope to show subsequently.

At the time when this Act was still in its Bill form, about 10,000 people petitioned Government to consider the effects of such a legislation; but the ryots' petition was not taken into account. The forests are now turned into one of the sources of revenue. The establishment of the Forest Department vies with the Revenue Department in having officers from the Conservator and the District and Deputy Forest Officers down to the Round and Bid Guards. The maintenance of this establishment requires thousands of rupees per month, and this will give you an idea of the enormous revenue which Government make out of the forest lands. This revenue, of course, means taxation to the poor farmers. I assure you that the forest taxes have been greatly enhanced since the Forest Act of 1878 was enacted. You would perhaps require me to give you proofs if I tell you that the burden of taxation in connection with forest laws is heavier now than in the time of previous administrations. I will, therefore, ask leave to give a short account of previous times.

The Kolaba Collectorate comprises seven talukas; of these, the Alibag Taluka and a portion of the Panwell Taluka belonged to Angriya and lapsed to the British in 1839. The rest of the Collectorate was under the rule of the Peshwas and was taken over by the English in 1818. There is no means available to show what the state of things previous to these dates was; but there is a letter from the officer in charge of the zilla to the Secretary to Government (No. 412, dated 31st October 1831,) in which that officer plainly states that there was but one jungle in the Salsette Taluka and two only in the Kolaba zilla which were reserved by the State. The Collector of the Konkan District had issued, by order of Government, a notification in 1824 from which it is apparent that Government had ceased to exercise any right over forests. From this and from a letter to Government sent at that time to ask sanction for the pay of two peons for the reserved jungles I already told you of, the relation of the State to the forests in former times is not difficult to be conjectured.

In 1839, Mr. Reid, the Chief Secretary to Government, wrote to the Revenue Commissioner (No. 775 of 1839) informing him of the intention of Government to retract the notification of the Konkan District relinquishing the right over forests and to require the local authorities to reserve the forests for the State. Then the Collector of Thana has made a reference to the Revenue Commissioner at Surat stating that it would be very expensive to keep an establishment for the reserved forests and asking if it would not be more advisable to entrust that business to the Village Patel. The Revenue Commissioner addressed a letter (No. 288, dated 10th March 1840), in which he recommends the appointment of a Conservator of Forests and suggests that till his appointment the Revenue Officers might be placed in charge of the work.

The Collector of Thana in his letter dated 4th October 1847 and addressed to Dr. Gibson, who had been appointed Conservator of Forests, says, in reply to the latter, that the Collector approves of Dr. Gibson's proposal to enter into agreement with some prominent person in each village for the reservation of a forest and allot a portion of the income accruing from the hewn trees to such a person.

After this procedure had been sanctioned, agreements to the effect were entered into with the leading persons of the different villages. These agreements, however, contained a clause which provided that the forests would be set free when the restrictions on those of the khots and the rate-payers were removed. This shows that Dr. Gibson had persuaded the people into these agreements, and this has been further made clear by Dr. Gibson's letter (No. 6, dated 19th February 1850,) to the Mamlatdar of Roha, where he re-affirms his promises to remove the doubts of the people.

Agreements were thus entered into with most of the people of the Pen, Roha, Mangaon, and Mahad Talukas; still the people were enjoying their customary privileges.

The rates of assessment of the original survey were first brought in force in 1860-61, when some portions of the unassessed pasture lands were affiliated with the reserved forests;

some were left as grazing grounds, while others were brought under assessment as grass-growing lands. Still the survey registers contained remarks to the effect that people were to be allowed the free use of grazing grounds and loppings of trees for *rab*. Only the trees in the reserved forests were to be protected.

After the Forest Act was passed, several pieces of land left for grazing were added to the lands of the reserved forests. People however still used to take their cattle to graze there.

1. The Forest Inspector of Alibag has, on the report of Patels, issued permissions for 28 persons to take fuel from the forests free of charge.

2. Government Resolution No. 1710, dated 24th March 1875, permits timber and wood to be taken out of the forests for building chowkis, temples, and farmers' huts and for the construction of wells, as also for the implements of husbandry.

3. Accordingly, the people of Pezari have been allowed to take bundles of fuel.

4. The Sub-Collector's Order No. 375, dated 12th June 1865, is to the effect that the peasant should be allowed to take fuel and materials for farming implements free of charge from the forests.

5. Government have issued Resolution No. 4082, dated 23rd August 1871, to the effect that the rights of people in the reserved forests would continue as before.

6. Sir Richard Temple has, in the 5th clause of his minute of 7th June 1878, given permission for the free use of brushwood and the loppings of certain trees for *rab*, bramble or brushwood for fences, and fodder and pasture for cattle.

7. On the 19th of April 1874 the Conservator of Forests, Northern Division, issued a notification declaring that only landholders from villages were to be allowed to take fuel, &c., free of charge and that others would have to pay eight annas for a cartful and one and a half anna for bundles. A cartful of bramble wood is now charged at one rupee.

There is a curious decision given by the settlement officer who was appointed to enquire into the forest question and to determine the rights of the people. This decision refers to survey No. 119 in the village of Sahan in the Alibag taluka. The settlement officer says that passes had to be issued for fuel ; the public had no right to it, and that by para. 8 of G. R. No. 4919, dated 15th September 1879, and para. 3 of G. R. No. 2206, dated 26th April 1880, and letter No. 2565, dated 20th October 1880, from the Commissioner, Northern Division, he held that no right of the people existed with regard to the materials for *rab* and pasture for cattle. This decision is to be taken in the light of a judicial finding.

Thus people lost all their rights in the forests, and the Forest Acts have even gone so far as to state that the moss accumulating on water and bones and hair of animals found in reserved forests were to be considered as products of the forests.

It is the earnest prayer of the farmers to Government that whatever Acts were necessary to be passed with regard to forests, they cannot do without free fuel and materials for *rab* and implements and fodder and pasture for cattle being granted them.

Letter No. 412 of 1831 from the zilla authorities referred to before clearly indicates that the ryots derived the entire benefit of the forests, and we see they have suddenly been deprived of their privileges.

Hitherto there was no tax on cattle which is now proposed to be imposed in the form of fees, which are to be 8 annas for each buffalo; 4 annas for an ox or a cow, an ass, or a mule ; 2 annas for a goat ; and 1 anna for a sheep.

This rate affects classes 38 and 39 of the Land Revenue Code.

There are about 360,148 head of cattle in Kolaba, and there are about 54,794 acres of pasture land including tanks, &c. This gives an average of about one acre for 6 animals. This land contains too much of waste and salt land of no use whatever for the purpose of grazing.

Allowing one pair for each plough, 122,094 animals are required for the total number of ploughs, *viz.*, 61,047, will be exempted from fees. The rest, 238,054, will have to pay fees, which is a tax imposed upon the agriculturists.

The Government of India have recently issued a Resolution in which they urge the Local Governments not to make their respective regulations oppressive to the people. We feel grateful to the Government of India, and hope they will see that the spirit of the Resolution is scrupulously carried out.

Besides the burden of taxes, there are numerous other inconveniences attending the qualification of a herdsman, but as they have been referred to by another brother-delegate from Alibag, I will not further dwell on them.

In defining the animals of agriculturists, there is no distinction drawn between the animals of the actual tillers and those of others in clause 38 of the Land Revenue Code, and it is illegal for Government to frame rules that are not consistent with law. Chief Justice Westropp has expressed himself on this point in the case of Bala Patel *vs.* the Collector of Thana (I. L. R., Bom., vol. II, page 110).

Several witnesses of standing and experience were called before the Forest Commission, and Mr. W. F. Sinclair, one of those examined, gave it as his opinion that, as there were no animals in the Kolaba Collectorate, it would be proper to impose fees upon them for grazing.

I feel sorry indeed to say that the people are groaning under a number of heavy taxes. All the means of getting a livelihood have now been taxed. The tax upon cattle of course completes the list, if we may not take into consideration the free use of air, which has been allowed us and on which there is not yet any ground for believing that Government contemplate imposing a tax. (*Laughter.*) That the subjects of so august a Sovereign as Her Majesty should be taxed for every little necessity of life is indeed deplorable, and I would therefore request this meeting to appeal to Government and move them to grant to the poor ryots the necessary materials for agricultural purposes and the use of grazing grounds for their cattle free of charge. (*Cheers.*)

Mr. Tukaram Dharmaji Mokul (Alibag) said :—

I am a delegate from Alibag and represent the farmers of the taluka. I possess lands for which I pay an annual cess of over Rs. 500.

The lands of Alibag may be divided into two great classes, namely, sweet lands and salt lands. The latter sort of lands may indeed be compared to a glass-pot. When once this land gets drenched with the sea-water all the arduous labour of the peasant throughout the year and all the expenses incurred by him are lost for nothing. We do everything in our power to build up mounds and level up the fields, but then we are quite helpless when spring tides at new and full moon time rush on, sweeping everything before them, while all our efforts are fruitless to check their violent progress.

There have been years when, on account of this havoc, the poor peasants could hardly get any grain from their fields and they had but to look to the forests for some eatable vegetable products.

We require various implements of husbandry, both for sweet and salt lands, which we used to supply ourselves with from the forests. We are now prohibited from so doing. Our cattle too that could freely graze on jungle pasture lands have now fees levied upon their heads. Some of us possess as many as 50 or even more animals, for it is necessary for us to

keep them for agricultural purposes, and imagine now what difficulties would befall their owner should these trespass on the forbidden grounds. The animals will all be taken to the Government pounds. The peasants, through necessity and a sense of disgrace, will have to pay enormous sums for fines and ruin themselves. I feel a great temptation to relate our grievances in full, but, gentlemen, I am an *agri* by caste and have not the power to do so before such an intelligent audience. I must therefore only implore you to take up our cause, to do something on our behalf, and with this request I will offer you my *Ram Ram* and take your leave. (*Applause.*)

Mr. Govind Narayen Deodhaker, in support of the Resolution, said :—

PRESIDENT AND BROTHER DELEGATES,

You are aware that the administration of the Forest Department pressed so heavily on the people of the Thana District, that it was owing chiefly to their persistent demands that the Forest Commission came into existence. That Commission in their final report to the Government made certain recommendations which, though they did not come up to the full expectations of the ryots, would have proved, had they been acted upon, to be beneficial to the subjects. It is also well known to you that certain rules framed by Lord Reay, that were calculated to do good to the poor ryots and made much of in the then published newspapers, have been either suppressed or ignored. The officers employed in the administration of this department have been, not without honourable exceptions, so scrupulous about the interests of the Government that they ignore the very ryots and manage the affairs of the department rather very high-handedly. I wish to allude to two recent aggressions that the authorities engaged in the Forest Department have commenced making on private and immemorial rights of ryots in the Thana District. The first aggression I complain of is with respect to teak, blackwood, sandal trees and trees standing in the *varkas* lands in the occupancy of the ryots. The Bombay Government made a resolution No. 10087 on 23rd of December 1892, by which they ruled that trees of whatever sort standing in the rice and rabi lands in the occupancy of the ryots belonged to the occupiers, and that the owners thereof might do with them as they thought fit. By the same resolution they ruled that the injayali trees in the *varkas* in the occupancy of the ryots belonged to the ryot. As regards the trees of the four kinds standing in the *varkas* in the occupancy of the ryots, the Government resolved that they would frame rules as to the conditions of enjoyment of such trees by the ryots. The District Forest Officer of the Western Division of the Thana District called for tenders for felling trees in the *varkas* lands in the occupancy of the ryots. When the ryots came to know of this call, they gave notice through a solicitor to the officer concerned in the matter, that he had no authority to dispose of the trees standing in the *varkas* in their occupancy as long as the Government had not published rules as promised in their resolution of 23rd December 1892. As you might expect in the case of such officers no reply was given. Then, on the 7th of August last, the ryots made an application to the Collector that the District Forest Officer should be asked to postpone his passing of tenders till the Government issued its long-promised rules. No written reply was given to this application. At the same time I must tell you that the Collector was kind enough to direct the District Forest Officer to postpone the passing of tenders for a fortnight, and inform the ryots that the occupier will be given the first choice if he offered the tendered amount at the passing of the tenders. The District Forest Officer accordingly, in the presence of a large assemblage of the ryots, declared that the passing of the tenders would be postponed for a fortnight and that the occupiers if they offered would be given the first choice. But unfortunately for the poor ryots, the District Forest Officer forgot his declaration—forgot or ignored the direction of the Collector in two days—and passed the tenders on the 10th August before the expiry of the promised fortnight. (*Hear, hear.*) It will be very difficult to find a parallel for such wanton high-handedness and regardlessness of others' rights. The poor and ignorant ryot has quietly to submit to it. The ryots, however, have given notice to the District Forest Officer for passing the tenders before the expiry of the fortnight. But no reply has yet been received. That such unjust and unmerited treatment accorded to the subjects is highly reprehensible, and that Government should, for increasing the peace and prosperity of its agricultural classes, keep a watchful eye over their too zealous officers, will not be doubted by

any one. But apart from the conduct of the officer concerned, the department has been entirely ignoring the rules and regulations of the enjoyment of the private property by its owner. The ryots have been paying the assessment of the *varkas* lands on the understanding that the trees growing on the land in their occupancy belong to them. When the Government proceeds to sell the before-mentioned reserved trees, not to occupiers, but to strangers, it is heedless about the heavy loss that the occupier will suffer on account of the felling of such trees.

Gentlemen, before I close I shall allude to one more point. I spoke till now about the reserved trees standing in the *varkas* land of occupiers. I wish you to accompany me to another branch of the Forest Department—I mean Forest Demarcation. You all know that as regards Government forests we have been in enjoyment undisputedly from time immemorial of the privilege of grazing cattle, cutting tohal for rab, and taking fuel for domestic purposes. But since the advent of the settlement of forests certain restrictions have been introduced. Not content with what has been done till now, new methods are being invented to prevent people from enjoying their wonted privilege. The forest demarcation has been causing at present deep-felt anxiety for the future in the minds of the people in my taluka. The officers engaged in the operations of the demarcation draw a charmed line which, if transgressed, transforms an honest peasant into a trespasser or a thief. The operations of this demarcation have been proceeding in such a way as to cause the greatest inconvenience if not in all, at least in the case of most, of the villages. In some villages *guracharan* plots have been made reserved, and in others there is left no protected forest as every number has been made reserved. In many instances lands in the occupancy of the ryots have been taken away and turned into reserved forests. In many cases the surroundings of a field in all its directions have been made reserved, so there is not an inch of ground left beyond or by the side of the cultivated land. Consequently, an honest cultivator must either perforce set at naught the line of demarcation, or give up his cultivation in despair, or learn to do the cultivation business by means over which he will have the least conceivable control. It is superfluous for me to add that under these circumstances this measure will give full scope to the lowest subordinates of the Forest Department to overawe and intimidate the poor and ignorant ryots. In some villages no plot has been left from whence the poorest can draw their supply of fuel. You must remember that everybody residing in a village has no lands. There are many families in villages who live from hand to mouth on daily wages. How are they to live if no space is left for them to draw their supply of fuel from? They are too poor to buy fuel. Gentlemen, you have seen what new difficulties have arisen in the daily life of a poor man owing to the operations of the forest demarcation. We should place before Government these points which are not perceptible when the broad features of a scheme are discussed, but which stand facing us when we enter the details. Let us join hands and pray with our united voices that the Government should be pleased to restore to us our former harmless privileges of grazing our cattle, cutting tohal for rab, and taking fuel from Government forests without payment of any dues. (*Hear, hear.*)

Gentlemen, I forgot to say a word as to the *guracharan* lands. When our private lands at the time of the survey operation were entered as *guracharan* lands, we submitted petitions as directed by law. The Government then replied that that matter would receive consideration at the time of the operation of demarcation. That matter is still left undecided. We do not in the least wish to hamper the administration of the Forest Department by raising cries against it. We have not the least hesitation in saying that the Government should make reserved every inch of ground where the rights of the poor occupiers and other ryots are not interfered with. The Government does not pause to note as to who would be responsible to the occupier for the loss he sustains. If the Forest Department makes money, is it not then its concern to keep its eyes open and see the immense loss the occupier will suffer as regards injayali trees and the future crops till the felling operation is over? The conduct of the District Forest Officer in a matter of such vital importance to the poor ryots causes a very great distraction, as it is notoriously contrary to the tenor and spirit of the Government resolution of 23rd December 1892 and the general laws of private property and welfare and well-being of the poorer classes. It is very harassing to note that these officers

choose the way best calculated to cause distress and discomfort among the industrious peasantry. Instead of calling for tenders if the authorities had arranged to give the reserved trees to the occupiers themselves on such terms as might have been thought proper by both the sides, a great deal of heart-burning and trouble would not have ensued. Knowing, as I do, the people in my taluka in the Thana District full well, I am sure that if proper terms had been offered the occupiers themselves would have closed with them. Gentlemen, it is rumoured that the Government has ruled that where in an acre of *varkas* land there are only fifty reserved trees, such trees should be sold to the occupier of such *varkas* land on easy terms. If there be any correctness in this rumour, the action of the over-zealous District Forest Officer appears very mysterious. Out of the two plots sold away, one plot is 117 acres in extent and contains only 5,000 trees, *i.e.*, less than 50 per acre. Thus you will clearly see that the action of the authorities in question has been causing a great hardship and anxiety, and it is therefore our bounden duty to approach the Government with a prayer to remedy the evil. (*Applause*).

Mr. Govind Narayan (Umbargam), in supporting the Resolution, said:—

MR. PRESIDENT AND GENTLEMEN,

This is the first occasion on which I have made bold to speak in public. I do not understand English, and in consequence there may be inconsistencies in my speech; but I hope my learned friends will excuse me. The Commission of Inquiry into the administration of the jungles of Thana and Kolaba which the Government had appointed cost both the Government and the ryots a good deal. Gentlemen, you may have heard the rumour that after the Commission had made their report the Government of Lord Reay issued certain orders, but several clauses were afterwards eliminated from these orders. Afterwards Government issued a resolution, which bears No. 10087 and is dated 23rd December 1892. By that resolution the ownership of landholders to all jungle trees grown on their lands, and to teak, sandal, sisoo, &c., grown on *kharif*, *bagayat* and *rabi* lands was fully established. It was ordered that rules would afterwards be framed to regulate the terms on which teak, sandal, and sisoo grown on *varkas* lands would be given to their owners. These rules have not yet been framed, and yet tenders were asked by the Forest Department for the disposal of teak grown on *varkas* numbers belonging to the ryots! The people petitioned the Collector against such a course, whereupon the District Forest Officer told those who had presented their tenders to wait for a fortnight, as the trees would be given to the owners of land if they liked to buy them, and if they declined the tenders would be accepted for consideration. In practice, however, the owners of the *varkas* numbers were not consulted, and the tenders were accepted. In the absence of any rules for their sale, the trees were given to others to the great detriment of the interests of the owners of land, who will suffer by having their other trees felled, and by being unable to get sufficient *rab* materials. Our prayer, therefore, is that Government will be graciously pleased to deal with us in accordance with the recommendations of the Commission and the spirit of their notification in 1870. (*Cheers.*)

Mr. Waman Bapuji Dev (Pen) said :—

MR. CHAIRMAN, GENTLEMEN AND BROTHER DELEGATES,

The Omnibus Resolution, gentlemen, refers to several matters, but I shall speak on one of these—the poor people's question—I mean the *forest* grievance.

This grievance works directly upon them, while that of abkari, police and salt works indirectly. Because, if the poor people have money, they will buy salt and liquor and not otherwise. But when they cut a shrub or a small branch of a tree in the forest for manuring purposes, they are prosecuted or their cutting instrument confiscated by a forest guard, or while grazing, if cattle happen to cross the limit and were simply to enter the Government forest, they are fined or their cattle sent to the pound, and the ploughing work of the poor and unhappy cultivator stops. This will give you, gentlemen, an idea of the sufferings of a moneyless and poor cultivator, governed by an illiterate forest guard.

My friend, Mr. Wacha, and others thanked the Government of India for their recent forest resolution as one enunciating a better policy. You, gentlemen, from towns and cities under-

stand English and therefore better appreciate the sweet and beautifully-worded resolution than ourselves. We, the residents of the country and villages, will at present only join the chorus by word, and not by heart, unless and until we see that the enforcement of the resolution lessens our sufferings. (*Hear, hear.*)

The resolution does not state anything distinctly as regards grazing, for which we are so anxious. In our district we have at present full liberty of grazing in Government forest, but we are afraid of losing that liberty from the next month, as we learn it through the village officers. The cattle throughout are counted and a fee is, we hear, about to be levied per head of cattle. This has made the whole of the cultivating class uneasy and dissatisfied. In my taluka the grazing question has created so much discontent that on the 17th of last month *over one thousand* of the poor cultivators from over 75 different villages held a meeting at a village called *Mangrul* to consider this question and adopted a petition to be sent to the local Government, a portion of which I shall read to you, so that you will have an idea of their anxiety of this forthcoming grievance under which they are labouring.

The petition states : "At present the village officers of our taluka are counting and registering the cows, oxen, goats, buffaloes and agricultural cattle, and on being asked the reason of it, they say that they register them because the Government wants to tax them as they graze freely in the Government forest. We do not see any new cause for this taxation over poor people like us. Since the original survey we are making free use of the forest till now on a clear understanding, being informed to the effect that we are allowed to make use of everything in the forest, except certain kinds of wood used for building purposes, and entire freedom for cattle grazing. It being so, why are we to be taxed and our cattle registered ? We think the Government do not see the misery of the poor ryots. Because in our present state we live on one meal a day for half the year, and on certain days we are obliged to live on roots and leaves. The Government should convince themselves as to the truth of what we say. We shall only think that the Government makes some arrangements for our maintenance if our complaints be heard and the cattle grazing is made free. Not only are our hopes lessening every day as to any concession by the Government for cultivation and grazing, but we are being reduced to starvation on account of an increase of taxation in these respects. We are at a loss to know what to do in future. We hear several things on inquiry for this taxation on grazing."

"Whatever be the reason of this tax, its effect will be that we shall not be able to maintain our cattle, and without cattle the agricultural business in the Konkan will cease. We are quite unable to buy manure from Bombay or other places for our soil, and we cannot maintain our cattle in the way in which the honourable gentlemen of our Councils maintain their horses, specially well fed at a great cost. By this reason we shall have to starve miserably for want of food. We are very much afraid of it and leave the decision to Government."

"Since the commencement of the British rule the land revenue has increased over four-fold, the salt tax over sixfold, the abkari tax over eleven-fold, and the tax on ganja and opium over thirty fold. Besides there are many new taxes, such as stamp, forest and others. On the whole by taxation we have been reduced to poverty and to utter want of wood. The sources of maintenance are much lessened and the taxation on the contrary heavily increasing and nobody attends to our prayers. But we hope that our prayers on the present occasion at least will be duly attended to. Gentlemen, with these observatioms, I resume my seat, leaving the proposition to your approval." (*Cheers.*)

Mr. Damodar Gopal Bhai (Kelwa Mahim), in supporting the Resolution, said :—

MR. PRESIDENT AND GENTLEMEN,

The former speakers have already dwelt upon the different subjects embodied in the resolution. I intend to speak only on forest and local self-government. I come from the Thana District, the forests of which were for a long time known to be second only to those of

the Satpura and North Canara hills in the Bombay Presidency. I may say that this superiority of our forests has been the cause of their destruction and our misery. About the year 1823 it occurred to certain Government officers that the forests of the Thana District, which were full of valuable timber, could be conveniently made a fruitful source of income. The first report to this effect was submitted to Government in 1823 by Mr. Dunlop, the then Collector of Southern Konkan. If we examine the history of the forest administration since that time, we shall find that the officers for the most part were engaged in finding out the most useful things grown in the forests and taxing them to the great inconvenience and annoyance of the ryots. The relation between the king and the subjects is that between the father and his children, that is, of the greatest cordiality, but the officers who rule over us seem to forget this principle altogether. Having in view the sole object of increasing the revenue, the Forest officers, without considering the conveniences of the people, are always engaged in suggesting new rules and regulations. The subordinate officers, knowing the inclination of their superiors, lose no opportunity to worry the ryots.

An interesting instance of the way in which Government officers issue their orders without making due inquiries may be cited from the Mahim Taluka. In that taluka the original revenue survey was commenced in 1865 or thereabout. The Survey officers on that occasion marked off certain lands as "protected forests." Of these, the piece marked off as "protected forest" in the village from which I come contains houses inhabited by not less than 200 souls. My own house and the compound surrounding it have stood in their place for the last 75 years, and yet in 1865 the piece was marked off as "protected forest!" This may appear very strange, but when the officers can draw red lines to mark off "protected forests" in their tents, there can be no reason why they should neglect to inquire whether the spots they thus mark off contain inhabited houses, stones, or trees. We do not even for a moment entertain the thought that our gracious Sovereign would ever like that her subjects should in any way be put to trouble and annoyance, but it is the doings of her servants who govern us that are the source of our troubles. It seems to be the law of nature that rivers, forests, seas, &c., should be principally utilized by those who live in their neighbourhood, for those living at a distance will hardly think of using them without much waste of time and energy. It is for reasons like these that we have been enjoying rights to bring materials from the neighbouring forests for agricultural and domestic purposes from time immemorial. In view of agricultural wants these rights should obviously have a predominance over mercantile considerations. Owing to stringent forest regulations, however, we have been obliged to manage our farms and gardens at a great disadvantage.

As to local self-government we have already shown our aptitude for it; let us now see to its extension. Of the various reforms required in the system, the most important is the concession of the power to mofussil municipalities to elect their presidents. The correspondence between the Hon'ble Mr. Setalvad and the official presidents of the Broach and Sholapur municipalities, which appeared in the public press, is a clear proof of how official presidents behave as they please and wholly disregard public opinion. It should be remembered that only official presidents declined to supply the information required by the Hon'ble Mr. Setalvad, the others having given it willingly. The two official presidents did not even think it necessary to place the Hon'ble Mr. Setalvad's letter before the members of their respective municipalities! Such an attitude by official presidents towards the representative of the municipalities of the Northern Division in connection with a question of public utility, and the indirect endorsement of it by Government do not certainly reflect credit on our just and impartial Government.

With these observations I cordially support the resolution. (*Applause.*)

The resolution was then put to the vote and carried unanimously.

Resolution V.

Mr. Lalji Ramji (Bombay), speaking in Guzerati, moved the subjoined Resolution :—

This Conference is of opinion that (a) offenders against the Tobacco Act should be tried by regularly-constituted magisterial tribunals, where they can fully avail themselves of professional assistance, instead of being tried, as at present, before departmental tribunals, where they are denied such assistance; (b) definite and sympathetic rules should be laid down and announced for the transfer of licenses after the decease of license-holders to their heirs and relations, who may be solely dependent upon them for maintenance and support; and (c) rules and regulations of the Tobacco Department should, in general, be so worked as to minimise, as far as possible, the existing hardships of country-tobacco dealers.

The resolution that has been entrusted to me is made up of three parts. The first deals with a complaint which is of a very important character. Offenders against the Opium, Abkari, and Salt Acts are tried by independent magisterial tribunals, and there is no reason why those who transgress the provisions of the Tobacco Act should be tried and punished by departmental officers. The magistrate's court does not object to the appearance of pleaders, while departmental tribunals deny to poor people such professional help as is available to them. This is a great hardship, and no departmental usage can justify this cruel injustice. Secondly, the magisterial tribunal is independent and thoroughly disinterested, and its decision is open to revision by the High Court. The magistrate's court is accessible to the public and its decision is amenable to public criticism. But there is nothing of the kind in the case of a departmental inquiry, which is wonderfully short and swift. It is no use appealing to the higher authorities, because the reply is of the usual stereotype character, *viz.*, "We see no reason to interfere." The present subject, though somewhat of local importance, has an important bearing on the question of separating judicial and executive functions. In the mofussil pecuniary objections are raised against the proposal on the score of increased cost. But the objections do not hold in Bombay. If the offenders against the Tobacco Act were placed before Presidency magistrates for trial, that cannot impose a heavy burden on them and no additional cost will be entailed on Government. Government have themselves admitted that magistrates have concurrent jurisdiction along with departmental tribunals to try such cases. If so, why are the authorities unwilling to transfer them to magisterial courts and thus meet the wishes of tobacco dealers? The Hon'ble Mr. Javerilal, who has taken so much interest in this subject, interpellated Government on this point; but, as usual, the reply was highly unsatisfactory.

The country-tobacco dealers belong generally to poor families. When a license-holder died, it was customary to transfer his license to his wife, son, daughter, mother, father, brother, sister, or some relative. This was a very humane practice; because after the death of the principal supporter of the family, those who were dependent upon him were thus enabled to earn their livelihood and were not sent afloat upon the world. No, the department has, for reasons best known to itself, departed from this practice, thus bringing about the ruin and misery of some families. In good many other matters, when Government are asked to explain something, they say that it has been the practice and usage of the department. But, strangely enough in this matter, where adherence to the past traditions is very necessary, their officers have deviated from them to the general discontent of the poor traders in tobacco. There are no definite rules regarding the transfer of licenses. Everything depends upon official discretion and the reports of subordinate officers. What this means you can better imagine than I can describe. What the tobacco dealers complain of is the injustice of depriving the heirs and relations of the means of living after their decease, and I trust Government will lay down more sympathetic and sensible rules than are being enforced at present.

The third part of the resolution is of a general character. It asks Government to render the working of the Tobacco Department more lenient and sympathetic, and thus minimise the hardships of tobacco dealers as far as possible. Why foreign traders should be liable to less troublesome rules and restrictions than dealers in country-tobacco passes my comprehension. We know there is a good deal of difference between the white and the black skin. (*Hear, hear.*) But why that should be recognized by a Government department is more than any one can explain. Native traders are harassed by all sorts of stringent rules and restrictions from which the privileged European traders are altogether free. Their very licenses prove this. They contain two clauses, while the licenses issued to country-tobacco dealers have no fewer than eleven. The latter cannot leave Bombay without obtaining permission from the Customs authorities, and that, too, is obtained with great difficulty. Sudden emergencies, like sickness, death in a family, &c., arise, necessitating some months' stay in the Konkan. Besides, the presence of agriculturists is required in their villages to look after the small holdings which it is necessary to till for the support of their families, as dealing in tobacco alone is not sufficient for that purpose. The present rules, therefore, need to be recast, if at all any such are in existence. Dealers in foreign tobacco are better off in this respect and can go out anywhere at any time. Licenses are granted in a most capricious fashion, while the applications of even respectable people are disregarded. Licenses are granted to the butlers, barbers, coachmen, and ayahs of influential persons and even to prostitutes. (*Shame.*) The present arrangements for the weighment of country-tobacco are inconvenient to dealers in country-tobacco, while those for the foreign tobacco are what they should be. Why this should be so it is difficult to say. Country-tobacco dealers naturally look to their own Government for a sympathetic hearing of their grievances. I have mentioned only a few of them, and trust Government and their officers will redress them in a spirit of justice and sympathy. (*Cheers.*)

Mr. Govind Desarath seconded the Resolution. He observed :—

Mr. Lalji has fully dealt with the resolution, and very little remains for me to say on the subject. The dealers in country-tobacco want no special privileges from Government. They want justice and fair-play. If Government or their departments acted in a spirit of prompt justice towards European merchants, there is nothing unnatural in it. But why are poor Indians differentially treated? I suppose, because they cannot make a sufficiently loud noise. (*Hear, hear.*) Tobacco dealers say that they should be tried by independent and unbiassed tribunals. Is this request unfair? They urge that after their demise, those who are dependent upon them should not be made to starve. Is that demand unfair? They entreat Government that the Tobacco Department should be so worked as not to cause the least annoyance to poor people. Is this prayer unfair? They pray that officers who are, or, at any rate, ought to be, conversant with the habits and customs of the people and with their requirements, should administer the rules and regulations of the department in a kindly spirit. Are they wrong in making these prayers? If not, we entreat Government through this Conference to look to the grievances of men who have so long been crying in the wilderness. (*Cheers.*)

Mr. Manmohandas Dayaldas (Bombay), in support of the Resolution, said :—

Mr. Lalji Ramji has laid before you the resolution urging the advisability of amending the law regulating the trial of cases arising out of the Acts regulating the sale of tobacco and the grant of licenses for the same. You will see, gentlemen, that the proposals of Mr. Lalji are such that no right-minded person can take exception to them. He has shown to you satisfactorily how harshly native tobacco-dealers are dealt with under the present state of the law. The subject of this resolution is all the more important as it affects the interests of that class of Her Majesty's subjects which is too poor and illiterate to ventilate its grievances properly unless backed up by such an influential body as this Conference. Just as all offences arising out of the working of the Acts regarding abkari, opium, cruelty to animals, and municipalities are tried before an independent judicial tribunal as the Presidency magisterial court, in the

same way all questions arising out of the Tobacco Act ought to be tried before the same independent tribunal and not, as is now done, by the Executive Department. In the present state of things no poor tobacconist who is dragged before the head of the Abkari Department (who is the judge in these cases), has the right to be defended by a legal professional gentleman. It is impossible that claims of justice and fair-play could have any chance seeing that a party immediately interested in the dispute is sitting in judgment upon the acts of the subordinates of its own department; and that, too, where questions of Government revenue are involved. One painful feature of the working of the present Act is that Native and European tobacco-dealers are, as regards their rights and liabilities under the law, treated differently. The latter is not only favoured but most indulgently treated while the former not only is not favoured but is barely treated with justice. It looks as if those concerned were bent on repressing the native tobacco industry at the expense of the foreign which is rather extraordinary, bearing in mind the solicitude of the Government of India to encourage by all legitimate means indigenous arts and industries. (*Cheers.*)

The resolution was put to the vote and unanimously carried.

Resolution VI.

Rao Bahadur N. M. Bhide (Poona) moved the subjoined Resolution :—

This Conference notes with concern that, notwithstanding the deliberate expression of opinion on the part of the late Viceroy and of Sir W. Hunter and other authorities, the Government of India contemplates an early amendment of the Deccan Agriculturists Relief Act in very minor particulars only, while the chief executive and administrative reforms suggested by the Land Indebtedness Commission in Part III of their report as essential complements to legislative action appear to have received no consideration. This Conference is of opinion that, as long as these reforms are not carried out and the rigidity of collection of revenue is not relaxed in favour of the ryots, and the high pressure of enhanced assessment is not reduced, and more credit facilities are not provided, the agrarian problem will remain, what it has been hitherto, a source of anxiety to Government and of distress and impoverishment to the ryots notwithstanding any amendment of the Relief Act.

MR. PRESIDENT AND GENTLEMEN,

The resolution which I have been asked to propose for your consideration this afternoon may appear to some to be too technical a matter and as such not properly within the sphere of a popular representative meeting like this. It may also be urged by some that the question does not affect all the districts of the Presidency. The fact, however, is that the agrarian problem is not a question of the Deccan only, nor of this Presidency either. It is a problem which concerns the whole of India, and it is a problem by the side of which all other problems sink into comparative insignificance. It is an open secret that the late Viceroy of India was so impressed with the importance of this question that he left as a legacy for his successor a very important confidential minute reviewing the situation in all its bearings. When the agrarian riots first broke out in the Deccan twenty years ago, Government appointed a commission of enquiry, and as the result of the deliberations of that Commission, a scheme of economic and legislative reform was sketched out by the Commissioners. The Commissioners were unanimous on the point that the reforms should be, so to speak, double-edged, affecting the relations of Government as also of the sowkar towards the peasantry, that is to say, the great majority of the population. Sir Auckland Colvin and Mr. Carpenter, among the Commissioners, gave expression to the necessity of

economic and executive reforms with an emphasis which left nothing to be desired. When the report of the Commissioners of 1875 passed through the sieves of the Secretariat the economic suggestions dropped out, and only the legislative remedy of providing a more equitable procedure in the adjudication of private claims against the ryots was recommended for adoption. In his discussions of the Bill of 1879 Sir R. Egerton, Lieut.-Governor of the Punjab, Sir W. Hunter, and others again called attention to the inadequacy of mere legislative remedies, and the Government of India itself was so far persuaded as to admit its readiness to take up executive reforms alongside with the reform of law courts and their procedure. After thirteen years a new Commission was appointed by the Government of India, and that Commission again reiterated the same view, namely, that reforms in the procedure of courts, though good as far as they went, would prove of no avail. (*Cheers.*)

Again, there was a conflict between the Secretariat and the independent Commissioners' views, and as the outcome of this we have the Bill recently introduced by the Hon'ble Mr. Lee-Warner in the Viceroy's Council which will shortly come on for fuller consideration. The late Viceroy has recorded his views emphatically on the point, and has suggested that unless the rigidity of the levy of land revenue collection is largely modified by timely remissions and postponements, unless greater facilities are afforded to the ryots to borrow money for improvements and similar other reforms are carried out, no legislative improvement can produce any lasting good; you will thus see, gentlemen, that we are in good company in this matter. We have the support of two independent Commissions on our side and of a retired Viceroy. (*Cheers.*)

In one part of the country we tried to secure the support of Government in the matter of providing greater facilities for loans to agriculturists by undertaking to start an experimental agricultural bank. The local Government and the Government of India in Lord Ripon's time were agreeable to the experiment, but the higher authorities overruled them, and now the Viceroy suggests the same remedy. No improvement in the system of *tagai* advances will suffice. The relations between the sowkar and the ryot must be made more intimate and cordial. We have on our side any amount of capital seeking investment, and for want of it consenting to a conversion of 4 per cent. to $3\frac{1}{2}$ per cent. without a demur. We have, on the other hand, a vast mass of people sadly in need of money and unable to obtain it by reason of insecurity of tenure and seasons and their inability to pay it back at usurious rates. Nobody wants Government to undertake the business of banking. We want it to support the efforts of private banking which will tap new resources of capital reserves if they are properly approached. The insecurity of tenure is due to the irregular and excessive enchancements which Government claim the power to make from time to time. The irregularity of the seasons places the ryots under an obvious disadvantage when they are expected to pay up the assessment punctually under penalty of forfeiture. These are really the chief sources of the ryots' misery. They drive him to the sowkar, and being restricted in the choice of sowkars he has to suffer the additional misery of worry and eviction. I hope I have made myself clear on the point. The Civil Court reforms are all good so far as they go, but they do not touch the root of the evil. The evil is not peculiar to Bombay. The Central Provinces and the Punjab Governments alike have asked for help. It is on this account that we must raise our voice and request Government to adopt a really effective remedy which will go to the root of the evil instead of contending itself with merely scratching the surface. (*Cheers.*)

Mr. Ramchandra Ganesh Barve (Yeola) seconded the resolution, the consideration of which was postponed owing to the absence of Mr. Chambers. On the arrival of that gentleman, its consideration was resumed.

Mr. W. A. Chambers (Bombay), who was warmly received, said:—

That they were often accused of discussing rich men's questions and neglecting those which related to the poor. This resolution, however, showed that they did not neglect the

interests of the poverty-stricken. Politics, unless they held out some hope to the masses of the people, were a hollow mockery. The Government of India was in the position of a landlord. There were two classes of landlords—the Irish—the bad and the good. The former took from their tenants all they possibly could and gave nothing in return; the latter sympathized with their tenants and endeavoured to help them. In which class should the Government of India be placed? He was afraid in the Irish class. The rulers of India did little or nothing to aid the ryot. True, during the last ten years they had lent to the peasantry one crore of rupees, and in Madras they had helped the cultivator to make wells. The one crore of rupees merely represented about half per cent. of the amount of money which they had taken from the ryot, and such meagre help was simply playing with the question. The problem was a serious one, and whether the Government liked it or not loans, on reasonable interest, must be given to the ryot; there must also be more elasticity in the land revenue and the cultivator must be protected against the money-lender. In every civilized country the peasant was saved from the usurer. Even Russia—that Russia which was supposed to be coming to India—stood between the cultivator and the Jew. (*Hear, hear.*) In this respect the Russian Government was a good one. Of course, in other respects, it was not so good. For instance, were the people of India under Russian control, all the delegates who were present would probably be sent to Siberia, but to speak honestly, the Russian Government did help its peasantry. The only effort in this direction made by the English Government was the Deccan Agriculturalists Relief Act. It was a valuable piece of legislation, but it was scarcely sufficient. Small as it was, however, it had many enemies; Commission after Commission had examined into its workings and attempts had been made to stultify the Act. Fortunately it had triumphed, and it still lived to help the Deccan ryot. Some amendments—they were very small—were to be made to this Act, and the recommendation had gone forth that it should be given a wider application. This was satisfactory, but no real solution of the question would be arrived at until the Government advanced loans to cultivators and a more elastic system of land revenue existed. It was interesting to compare the method of land taxation under the old native rule and under English rule. Under the native rule a man was always left enough to feed him and his family, with sufficient for seeds; under the English rule he had to borrow at the rate of 24 per cent. in order to meet the tax-collector's claims. Still, however hard as this might be, they should not wholly blame the Government. There was another party equally as bad. The man who took advantage of the poverty of his fellows; the man who lived by grinding the faces of the poor, was one from whom they should shrink as from a leper. He (the speaker) wanted them to despise and hate the money-lender. Look at this individual in Bombay. Wherever poor men congregated there he was to be found. Had any of the audience noticed a Bombay mill on pay-day? Had they seen the money-lenders hanging about like vultures after carrion? Within a hundred yards of nearly every mill in Bombay there was a money-leader's shop. He (the speaker) appealed to the mill-owners to invent some means by which people could be saved from these despicable creatures. The Government might be a grasping landlord, but after all the man who lived on the afflictions of his fellows was contemptible, and, whether he was a prominent citizen or not, whether he erected statues or built fountains, their voices should be lifted up against such persons. (*Cheers.*)

The President remarked that it seemed that the experience of the last speaker was confined to the City of Bombay. If he had had a larger knowledge of the mofussil, he would have known that the money-lender was necessary to the ryot and was most useful to the cultivator. (*Cheers.*)

The resolution was then unanimously carried.

Resolution VII.

Dr. K. N. Bahadurji (Bombay) was received with loud cheers on rising to move the Seventh Resolution which was as follows :—

I. (a) That, whilst re-affirming its resolution of last year on the subject of medical education and civil medical administration to the effect that, in the interests of medical education, the profession and the public, and of the several medical departments of the State, no less than of economy, it was time that the higher Civil Medical Service was no longer a branch of the Military Indian Medical Service and with appointments exclusively confined to members of the Military Service and made to suit the convenience of such service, but formed a distinct and independent service by itself in which appointments were thrown open to the general profession and made, on the ground of special merit and training only, to meet the requirements of its various departments of education, science, and sanitation, this Conference is strongly of opinion that the very unsatisfactory position and prospects of members of the Subordinate Civil Medical Service, of Assistant Surgeons and Hospital Assistants compared with members of similar standing in other departments of the public service, require thorough investigation and redress, and pray that Government will grant for the purpose an open inquiry by a mixed commission of official and non-official members. (b) That, whilst this Conference views with satisfaction the desire of the Imperial Government to re-organise the Chemical Analyser's Department with a view to its administration as an independent scientific department, it earnestly hopes that Government will not fail to recognise the responsible and meritorious work of Assistant or, as they in reality are, Government Chemical Analysers and place them on a footing of specialists.

Dr. Bahadurji observed :—

Whilst speaking with natural pride of "home-grown" professors—a commodity unknown in this country—of his school, an Irish professor very appropriately remarked the other day that the medical school of a country, like its University, of which it formed a part, may be regarded as a fair index of the intellectual life of a nation. (*Hear, hear.*) Medical education and science and the institutions in which they are imparted and cultivated have as much, if not greater interest for the general public as for the workers gathered together in such institutions; and very naturally too, considering that the highest aim of medical science, to which all departments of human knowledge are tributaries, is the alleviation of human suffering and the promotion of human happiness. It is very gratifying, therefore, to find the Indian public taking such keen and increasing interest in matters affecting the condition of medical science and education in their midst, and co-operating with the profession to root out evils which militate against a healthy growth of advanced medical science in the country. Some recent curious phases of the existing constitution of the Civil Medical Service of the country have made it clear that the doctrine—whatever is is right—however suitable or workable it may have been over half a century go, is wholly incompatible with the needs of the present times. You are now pretty well familiar, no doubt, how indefensible, unjust, extravagantly costly, and even mischievous in its working, is the present constitution of our Civil Medical Service ; but both from its great importance and the glaring character of the anomalies and absurdities it bristles with, the subject will bear repetition and emphasis. Let us study a few of its salient features in the light of local experience, and see what a terrible tale they tell. To take the last subject—the Chemical Analyser's Department—mentioned in the first resolution, it cannot but be a matter of extreme satisfaction to note that, in spite of their outward protests to the contrary, Government have felt, and felt keenly too, the force of recent exposures in connection with the department, for the Imperial Government have evidently lost no time to take steps to reorganize it as a special scientific department. Only it is to be hoped that a scheme of reorganization recommended by

a military department does not, as usual, mean extension and increased expenditure, and Government will, in the words of a local paper, " utilize their own material ready at hand and take up the Assistant Surgeons, who are already in the department, for this special new service and place them on an independent footing of specialists," and not be misled into an extension of the I.M.S. monopoly and further expenditure, as was recently the case in the department of jail administration in which some eleven posts—many of which had been so long efficiently and economically filled by Assistant Surgeons—were unjustifiably docked into the I.-M.-S. schedule. The case of Hospital Assistants and Assistant Surgeons has only to be mentioned to command immediate attention and redress. Contrast them with their military brethren—the warrant medical officers and the members of the I. M. S. The Hospital Assistants are non-matriculated licentiates. They are the people who really popularize the Western system of medicine in India and carry its blessings to the masses. They practise medicine, midwifery, and surgery amongst thousands in the districts, perform *post-mortem* examinations, and give evidence in medico-legal cases. But would you believe that their commencing salary is no higher than what you would pay to your pattawalla, coachman, or cook, *viz.*, Rs. 16, and that they end with Rs. 50 if sent on military work? It is no wonder that they have often no social position, and are looked down upon even by bill-collectors. Their military brethren—the warrant medical officers—though they go through a trifle lower preliminary educational test, start with Rs. 50 and rise to Rs. 400, and may even get Rs. 700 when on civil duty, which is done only to give them the higher pay, for surely the civil department has men enough and to spare. This Warrant Medical Service, which carries military rank and titles, was at first open to non-Christians, but was latterly closed against them, and the only reason for such inconceivable disparity between the Hospital Assistant and warrant medical officers is that the one belongs to the Christian race, whilst the other does not. Let the Government lay its hand to its heart and say if this grossly unfair treatment of non-Christian public servants is at all worthy of a Christian Government and befitting the honour and traditions of British rule. Would it not redound to the honour, justice, and even " common sense " of our local Government to take the initiative to repair the wrong that is still being done to the Hospital Assistants, without waiting to be asked to do what is their plain duty ? (*Loud cheers.*)

The Assistant Surgeons are our University graduates in medicine. In point of preliminary examinations and professional tests they are on a level with the I.-M.-S. men, and such as could afford a passage to England, used to go through the Burlington House examination as easily as they did in Bombay, so long as the prescribed tests were fair and dealt with questions of competence and not colour, caste, or creed. Contrast their position with members of the I. M. S. The latter, members of a military service, begin with Rs. 400 odd and rise to Rs. 2,500, and have the sole right to all the higher grade civil medical posts in the country, whilst the home-grown graduates, the Assistant Surgeons, whatever their ability or work, begin with Rs. 100 and rise to Rs. 200 ! (*Shame.*) Whilst careers are open to talent in all other Faculties of our University, they are denied to members of the Medical Faculty. An Arts graduate may rise to be a Deputy Collector; a Law graduate, a High Court Judge; and Engineering graduates may rise to be Presidency Executive Engineers, but our Medical graduate can go no higher than an Assistant Surgeon on Rs. 100 to Rs. 200 a month ! If this be due to our medical graduates lacking the necessary qualifications for high posts in the Medical Department of the Public Service, the inference forces itself upon us that our medical schools have failed to discharge their duty by the State to the people, and that the work and care of our medical institutions has not been confided to proper hands. (*Hear, hear.*) So far back as 1867 the Government of India created minor College Professorships and the Uncovenanted Medical Service, on the lines of the Uncovenanted Service in the judicial, revenue, and other departments of the Public Service, to give play and recognition to local talent. But the execution of these laudable measures of Government having, unfortunately, been placed in the hands of military medical officers, the result has been deplorable. They only smuggled the professorships into their schedule and turned the Uncovenanted Service into a dead letter, by diligently closing all admissions into it ever since its inception, except in two cases in which admission was allowed

under exceptional circumstances. This stratagem of the Military Medical Department Mr. Birdwood tried the other day to explain away by a simple assertion that admissions were made into the Uncovenanted Service only when men were not available from the Military Covenanted Service. But how this bold assertion is at total variance with facts is clearly demonstrated by the very two instances which Mr. Birdwood specified, and which have been the only two admissions into the Service since its inception in 1867. Dr. Colah, the late Deputy Sanitary Commissioner, was admitted into the uncovenanted grade simply because of the then temporary closing of the Covenanted Service against natives, and Dr. Dalgado was simply *promoted* to the uncovenanted grade, keeping to his original post, which by the way cost Government not a penny, for the salary is paid by a Native State, and not that members of the Covenanted Military Service were not available for these posts. The experience of a quarter of a century has abundantly proved that a liberal feeding of the Military Service with ample yearly admissions is not likely to allow the Service to run short of hands especially when it is a unique military service which gives for civil employ a loan of some 370, whilst its own military requirements want only 260! That an open inquiry by a mixed commission into the case of Hospital Assistants and Assistant Surgeons is an imperative necessity cannot be at all gainsaid, and it is such an open inquiry that was urged on the attention of Government by a local paper in its recent very fair and sympathetic editorial on the grievances of the Assistant Surgeons. What then is responsible for all this injustice to, and degradation of, a useful body of public servants? It is the I. M. S. monopoly and the Trades' Union spirit it breathes into its members. (*Hear, hear.*)

That military loans for civil employ must, of course, be costly you can very readily perceive, and the question of their excessive cost to medical education and the Civil Medical Department has been fully gone into on previous occasions. I shall, therefore, refer to some other features of the monopoly. The story is told that the monopoly is the work of the Secretary of State, and the Indian Government are helpless in the matter. But is it so? The C. S. Covenant guarantees fixed posts to the civilians, but the I. M. S. Covenant guarantees nothing of the kind. It is purely a military enlistment, with settled scales of pay and pension. The I. M. S. Covenant makes no mention even of any civil posts. The "scheduling" of civil posts for the I. M. S. has been pure usurpation and plunder perpetrated by some powerful military medical officers, and unthinkingly acquiesced in by the Indian Government, but protested against by some high-minded brethren of their own service, who thought more of the traditions and honour of their profession and the progress of Western medical science, than comfortable berths for their caste-men (*Hear, hear.*) When it was seriously asked by the then Surgeon-General how his men would like to have all medical professorships and scientific appointments in the country reserved for members of their service. Dr. (now Sir George) Birdwood, brother of our Civilian Councillor, Mr. Birdwood, who tried to defend the unjust treatment of the Uncovenanted Medical Service, and Dr. (now Sir Guyer) Hunter, and their comrades in our Medical College loudly protested against such unfair treatment, not only of the profession, but of their science, for Dr. Birdwood bitterly complained that already then, *i.e.*, in 1867, and twenty-three years after the implanting of Western medical science in the Western Presidency, "the authority of the Surgeon-General over the Grant Medical College had enervated the College and injuriously affected the progress of scientific medicine in Western India," and that "it was soon found to be difficult to make professors of certain arbitrarily named military officers, as it was easy to order them to be made? If such was the crippling and enervating influence of an unformed I. M. S. monopoly on our medical schools and medical science more than a quarter of a century ago, what must have been the working of this monopoly cast in a settled schedule all these five and twenty years? Is it to be wondered at that India has no scientists of her own, and that our medical schools have not contributed in fifty years what a provincial medical school in England does in as many months towards the advancement of medical science? Early this year I had occasion to explain to a famous European professor, then in Bombay, the constitution of our medical

schools and of the higher civil medical service, and he would not believe that it was possible that members of a military service had a monopoly of them both, for that would mean, he maintained, that the British Government in India were fifty years behind European civilization, if they did not realize that military enlistment did not meet the requirements of medical education and science, or of the civil medical needs of a country. When the information I gave him was confirmed by his inquiries in military medical circles, he was shocked at it. (*Cheers.*) And so would you all be to find it all so wrong, if you only knew what the right thing was in all civilized countries, and that science did not reveal its secrets only to those who held commissions in Her Majesty's Army.

You have only to look around you to see what this I. M. S. monopoly means to the profession of your country, your medical education, and the state of medical science in your midst. See what this unnatural and objectionable caste-system perpetrated by this monopoly means for the profession of India. Every country has its van section of the profession, consisting of members actually engaged in the work of the advancement and cultivation of their science and art—members gathered together in colleges and hospitals and laboratories—members who have advanced with the consent and respect of their brethren, who move aside as they hear the recognised steps of merit and ability. They are no armed soldiers who are hustled forward and placed over the heads of others by simple orders from a military office. All the world over this van section is a natural growth, and consists of members who have advanced and risen to their high positions, in an open race (in which no elbowing is allowed) in the field of science to which every member of the profession is allowed admission without let or hindrance, without distinction of caste, colour, or creed ; and it is but natural that such a natural van section of the profession should form its natural head, and no mere blotch or engrafting on it, and command and receive the respect of all its members. But in India there is no such natural growth—there is no open race. It is all elbowing and handicapping, and unnatural and unjust awards. (*Shame.*) The rituals gone through in Burlington House in London admit a member of the profession to a caste (and, as already observed, it is no secret that the spelling of one's name is no insignificant factor in gaining admission for rejection for its owner) which entitled admission to a body engrafted on the profession in India, under orders, it is said, as its van section, whose members have the sole right, and are the sole agents to our hospitals, laboratories, and colleges. They rise not to their places by means which are recognised as natural in every civilized country, but simply walk up to them soldierlike, sword in hand, jostling and elbowing, and trampling under feet whatever lies in their path. They retain their places, as they acquire them by force of arms and "schedules," and their fame is resplendent with the insignia won by prowess at musketry, and not by achievements in the field of science. Such is the unnatural and foreign lump imposed on the body of the profession in India, and ordered to be recognised as its head—a head which is no natural growth and claims nothing in common with the body. The interests of the head are not the interests of the body. How long is the unnatural caste-system to last ? I have nothing to say against the individuals who are the instruments of such a system. But I cannot help asking every one of them—is it not against the instincts and traditions of a noble profession —is it not subversive of all the principles which build up the honour and dignity of a profession which is rightly deemed the most noble—is it not in a line with trades unionism, what your unnatural caste-system makes you stoop to and keep up ?—will you not, Birdwoodlike and Hunterlike, rise to resent and protest against, and work to remove an anomalous system which employs you to demoralize and debase the principles and dignity of a profession to which you really owe so much, and which ought to have the first claim on your consideration? (*Loud applause.*)

There is to be a Congress at Calcutta next month of what is called the Indian medical profession after the manner of European Medical Congresses. To begin with, there is no such thing as an Indian medical profession, as you can now readily see. In European Congresses men who have run open and fair races in the field of science meet to discuss the

subjects of their achievements. But such cannot possibly be the case with the Calcutta Congress. Here men who have been all along denied all admission to even races, and have been decried as incapable of investigating or teaching the science and art of their profession, are now invited to meet the highly placed individuals of the foreign body engrafted on the profession in India, where they have the sole run of the whole field, *to take part in discussions* of scientific matters with them-just for the purposes of a Congress gathering! Who is ignorant and incompetent to work at a science is surely incompetent and unfit to discuss matters pertaining to such science. But this proposition is to be dropped from particular memories for the convenience of a good congress gathering! This is plain language, though it may speak painful facts. Let us see, however, what the Calcutta Congress is going to do to place the profession in India on a par with the British and European profession, which it is now imitating only in their external ceremonials of Congresses. As regards education, let us have an actual example from local experience. An official professor of the I. M. S., who has never even so much as handled a frog or looked into the inside of a black beetle in the course of his training, is considered competent to examine for our University its B.A., B.Sc. and M.A., M.D. candidates in the science of Zoology! (*Loud laughter.*) Look, then, at the teaching of Zoology in our College, for which every Zoologist must be a born Ophthalmologist and *vice versa*. It consists of some two dozen readings from text-book notes from a pulpit decorated with a few samples of bottled specimens; and when the readings are over, the class has a permit to the Natural History Society Museum and a personally conducted tour (by some one in the Museum) round; this begins and completes a practical course in Zoology. (*Laughter.*) Is not all this a farce and a fraud? Will it be tolerated in any civilized country? Government have long since decided to abolish this professorship, but they do not want to order it to cease till the permanent incumbent retires! It costs the tax-payer Rs. 2,400 a year, and if the professorship, from whatever reason, is to be no more, why allow this sponging on the public revenue from year to year simply because the military professor will not give up his Zoological performances which are no more required? In which other department does Government allow its men to stay on when their services are no longer required? An attempt was made by Lord Harris' predecessor to improve matters, but things soon reverted to their original anomalous condition, for Lord Harris, sad to say, made it his guiding principle simply to go by the advice of the paid advisers of Government and to see that the people conformed to the wishes and ruling of his advisers.

Whatever the advantages to the head of the Government from such an understanding of his position, this much is certain, that recently this non-exercise of personal judgment has entailed large wastes of expenditure and made the scientific resources of Government the laughing-stock of the thinking world. Every reader of a newspaper knows that a pice worth of ice and a few adjustable lamps will give a bacteriologist any temperature he may want for his cultivation purposes, but this simple information was not available to Government, and they were coaxed by their scientific advisers into abandoning their Poona and Bombay Laboratories—costing several thousands of rupees—and removing the whole concern to shady and cool regions about the Himalayas, on the plea of the Bombay and Poona climates being too hot for bacteriological work! The heat dodge having once answered well in gaining the objects of their desire, it was pressed into service again to extinguish the pharmacology professorship. Here again, pharmacology gives being to a laboratory in Bombay. But the chair of pharmacology was not to the liking of the official medical service. To circumvent its death therefore, various expedients were resorted to, and, as you are doubtless aware, a temporary strangulation was easily effected. But when Government showed inclinations for its resuscitation, their advisers were ready with their singularly unique information that pharmacology could not live here at all because of the Indian heat! Now, pharmacology means elucidation of effects of drugs on healthy systems. If, indeed, Indian heat was prejudicial to faithful observations of remedies on healthy systems, would it not be

equally, if not more, prejudicial to similar observations in unhealthy systems, and where, then, would be the use of treating disease in India? Perhaps this difficulty of military medical men may explain the state of science in the country, and their eagerness to pack their white patients off to their European homes to give them the last chance of recovery, even with livers laden with pints of pus! When public attention was being drawn to this state of affairs, it was bound to draw some sort of apologetic defence from official quarters, and His Excellency himself was ready with it at the last Council meeting. "We select our men for the College with scrupulous care, and I have heard nothing but good things of the professors from their pupils." This is surely a bold reply to outside criticism. Why, even "Business" himself, a member of the I. M. S., has openly declared that selections for the College staff, even from his own service, were by no means satisfactory. Perhaps it was all His Excellency's dream that he related, for it is difficult to imagine his having personal communication with the pupils of the Medical College on the subject of their professors. The key to it all is to be found in his consistent policy of acting as the mouthpiece of his paid advisers and subordinates. The stock answer to appeals to discontinue the I. M. S. monopoly has been that the College and other appointments must meet the Imperial needs of a reserve for the Indian army. Does England allow her medical schools and other institutions to be utilized as reserves for the British army? But this reserve answer is not an argument, but a thoughtless subterfuge, which would throw no small doubt on the professions and declarations of the British Government; for, if our medical schools are to be military depôts for army reserves in times of peace, what becomes of the declaration of Government that they founded medical schools "not for any executive of Governmental wants, but for the cultivation of Western medical science and the promotion of the happiness of the people of India." Otherwise let the Government of the day be honest at any rate, and frankly declare that, with whatever noble intentions their predecessors may have founded their medical schools and fostered medical education, it was no more their intention to rear medical science and education for their own sake, for they wanted medical schools and hospitals for the purposes of depots for military reserves. No, the monopoly of the I. M. S. and the constitution of our higher civil medical service cannot fit in with the good intention of the Indian Government and the honour and tradition of the British nation, nor can the glory of the British rule in India shine with the fleeting splendour of the gold it may enable a few Britons to take from India by a misuse of educational institutions for military depots, but by the lasting effulgence of the science and art reared in India in institutions existing solely and wholly for science and education, and not for the convenience of any particular service. (*Loud and long continued applause.*)

Dr. Atmaram Pandurang (Bombay), who rose amid loud cheers, said :—

MR. PRESIDENT AND GENTLEMEN,

I have great pleasure in seconding the proposition so ably placed before you by our friend Dr. Bahadurji. There is no doubt in my mind—and I trust you have been convinced about it already—that, unless the Civil Medical Service is completely separated and removed from the thraldom of the Military Medical Service, or in other words, until these two services have been completely divorced from each other, there is no possibility of any really good, honest, and healthy work being accomplished by the medical profession in this country as is done in other civilized countries in the world. Let me at the outset, in seconding the motion, beg of you not to misunderstand me, but distinctly to believe that I do not put forward claims of any particular class, such as the countrymen of Lord Salisbury's black man, but that I am actuated by no other consideration than of the advancement of the profession itself and placing it on a footing of equality with the same in all other countries in the world. Nowhere else, gentlemen, you will find the system of placing the entire medical service in the hands and under the control of military medical men trained for military services and rising at the top of the profession by the consideration of their rank chiefly. The system of filling up all higher civil medical appointments under Government by gentlemen exclusively drawn from the Military Medical Service

exists in India only, but nowhere else. It may have been necessary perhaps fifty years ago, when there were no other medical gentlemen in the service of Government than the regimental medical officers, and when civil medical appointments were but few. But whatever necessity there may have been in the beginning for drawing for civil employment from the Military Medical Service, no such necessity exists at the present day. All improvement and advance in medicine in all civilized countries elsewhere are made by medical men employed as teachers in medical schools and by those attached to civil hospitals. But when the official heads of the profession are so chiefly on the consideration of their military rank and not because of their high professional attainments, it is preposterous to expect any benefit to be derived by the profession working under so unique a system as that existing in this country and nowhere else. India has afforded a very extensive field for observation and research work in all branches of the medical service to our Surgeons-General and the medical officers by their having had the entire control of medical education and charge of all civil hospitals throughout for upwards of fifty years now. And what have they done? Have they themselves or those who have received their education under the system adopted by them produced within this long period any such good result in medicine as India can be proud of and as will bear any comparison with work done in even a provincial medical school in England? It is a system of close monopoly that no doubt benefits those individual members of the profession belonging to it, but it can never advance medical profession itself. Let the control and charge of all military hospitals be then confided to Surgeons-General and their military medical officers as is done in all other civilized countries in the world, but nothing more. But the control over education, civil hospitals, science, and sanitation are entrusted to medical gentlemen as high in their professional attainments in medicine as the High Court Judges are in law, and the highest posts in connection with these should be thrown open to all irrespective of caste, colour or creed as is done in law. (*Loud cheers.*)

Dr. Bhalchandra K. Bhatawadekar (Bombay), who was cordially received, supported the Resolution as follows :—

I rise to support the proposition so eloquently proposed by my esteemed and valued friend Dr. Bahadurji and seconded by the revered Dr. Atmaram. It was now nearly half a century ago that medical education was begun in this Presidency, and the pioneers of that education had a very limited field for selection as professors at the Grant Medical College. This was mainly confined to the Army Medical Service. This was the origin of the monopoly of the service for the professorial appointments. This monopoly grew so strong in later years that men like Dr. (now Sir William) Hunter, Dr. (now Sir George) Birdwood, and others of that noble band of principals and professors of the Grant Medical College strongly protested against it. But, in spite of their protests, this mischievous monopoly was strengthened by scheduling the appointments, thus stifling the aspirations of the best graduates of the College. It was time now to break the neck of the monopoly. This pernicious system of filling the professorial chairs should be knocked on the head. This system at once attracted the attention of that sagacious and liberal-minded statesman and educationist who ruled over the Presidency five years ago—Lord Reay. (*Cheers.*) In a Government Resolution in 1887 he deprecated the system and instituted reforms which would have led to satisfactory results. But it was a matter for regret that the policy of reform was not only not pursued but was actually neglected and reversed. Lord Harris sought to justify his policy towards medical education in an official speech at the last meeting of the Legislative Council, in which he said "the very greatest care is taken in endeavouring to select for the various chairs men who have had some experience in each particular subject. It is not a haphazard selection which inducted them into these chairs." Was this supported by actual facts? There have been several changes in the professorial staff during the last five years. The Professors of Anatomy, Chemistry, Botany, Materia Medica, Pathology, Medicine, Surgery, Midwifery, and Medical Jurisprudence had each in their turn either gone on leave or been shifted from one chair to another. The most remarkable instances, however, were those of the chairs of Anatomy, Chemistry, Pathology, and Medicine being temporarily filled by men from

the Army Medical Service who had no special claims to be there except the fact that they belonged to the heaven-born service and had some influence in high quarters to back them up—this especially in the face of the fact that each of these chairs would have been most appropriately filled up by very competent and able men who had devoted special attention to each of these subjects and whose only fault was that they had the misfortune not to belong to the Army Medical Service. The Professor of Pathology was pitchforked into the chairs of Chemistry and Medical Jurisprudence and the important appointment of Chemical Analyser to the Government, without any of the responsibilities and cares attaching to that office, but simply with a view to sign papers regarding vital and important work done by his Assistant, and the Professor of Materia Medica was transferred into an efficient Professor of Pathology. He would not comment on this subject further, but would leave it to the public to judge as to how detrimental such a system must prove to the cause of medical education in this Presidency. It was a matter of very great surprise and regret that such a baneful policy was pursued in spite of protests from the public and the press. Further on His Excellency said : " I have never heard anything but expressions of good feeling and regard and respect towards the professors from those who have benefited by their teaching. I have never heard anything but expressions of that character. The students recognise what high ideals these gentlemen set before them in the educational task they have in hand, so that it may certainly be said that those who are under them are grateful and thankful for it." It was a matter of surprise that His Excellency required to be reminded of the simple fact that no student who had any regard for his own fortune would be so foolish as to go and complain to His Excellency about any professor. (*Hear, hear.*) His Excellency might be assured that if he did, he would be ruined for life. This was only a common-sense view of the matter. All he would urge was to leave an open field for fair competition. That would stimulate medical education in all its branches and in the field of original research. It was sought to be made out that the graduates did not possess any aptitude for original research, but considering the deplorable condition of the system of teaching and the almost entire want of sympathy between the teachers and the taught, there was no wonder that it was so. In the long run it would be reasonable to throw open the appointments to the best talent, the salaries might be smaller than they were at present, and the men holding them would stick to the appointments for a number of years and would take real interest in the subjects, and the teaching would be more efficient. But who would be able to find out this ? It had been hinted in some quarters that there was an entire absence of higher order of statesmanship in high quarters, and he was inclined to believe in its truth.

The Assistant Surgeons and Hospital Assistants had their grievances, which had been over and over brought prominently to the notice of the Government both by the officials and by the public, but they had received no favourable consideration at the hands of the Government. The Assistant Surgeons' class was mainly composed of graduates, some of whom were men of very high abilities, and had done very useful service in the civil and military branches of the Medical Service. They had excellent medical and surgical skill, but had been treated with coldness by the Government, whereas their compeers in the Revenue, Judicial, and Engineering branches could rise from Mamlatdars to Deputy Collectors, from Sub-Judges to Small Cause Court and High Court Judges, from Overseers to Executive Engineers, drawing from Rs. 500 to 1,500 or even Rs. 3,700 per mensem ; the poor Assistant Surgeon must remain content with his official rank of first grade Assistant Surgeon drawing a maximum salary of Rs. 250 to Rs. 300 after thirty years of service, and with the prospect of a magnificent pension of Rs. 100 per mensem. The Apothecaries, who had only superficial training of three or four years, had their designation recently changed into Senior and Junior Assistant Surgeons. They could rise to Rs. 700, and even to the grade of Honorary Surgeons.

The Hospital Assistant class also deserves sympathy and consideration. After a training of three years, they were appointed third class Hospital Assistants on a salary of Rs. 16 to Rs. 25, and after a service of thirty years, the highest salary that they could aspire to

was Rs. 60, with a magnificent pension of Rs. 30 per mensem. Members of this class were intelligent and hardworking, and were generally in charge of stations, the population of which ranged from 7,000 to 20,000. They had done good service in popularising European medicine in the mofussil, and had relieved suffering humanity. My friend Dr. Benjamin, who would speak after me, would dwell upon the grievances of the Hospital Assistants at some greater length. I would, therefore, with these observations, warmly support the resolution. (*Cheers.*)

Dr. Joseph Benjamin (Ahmedabad) supported the Resolution as follows :—

MR. PRESIDENT AND GENTLEMEN,

I have very great pleasure in supporting the resolution so ably moved by our renowned townsman, Dr. K. N. Bahadurji, the most distinguished ornament of the native medical profession, and seconded and supported by such eminent medical gentlemen as Drs. Atmaram and Bhalchandra. Dr. Bahadurji has done full justice to the subject. Let me, in addition, tell you, gentlemen, that we want specialists as professors in the subjects they are called upon to teach of the type of Dr. Bhicaji Amrut, teacher of Anatomy in the Byramjee Jejeebhoy Medical School at Poona, who has been teaching the subject for the last twenty or thirty years, and who has made it his special study. However, at present in the Grant Medical College frequent changes take place among the professors, and the consequence is that the students suffer. As stated above, we want specialists to teach their special subjects, and therefore, for the sake of economy combined with efficiency, indigenous or local talent should be availed of for the purpose whenever obtainable. But now-a-days it happens that a Professor of Midwifery is the next day called upon to teach Pathology, and so on, and this can be compared to something like a person picking up a smattering of Hindustani in the bazaar and then standing out for a professorship of that language. It might be asked that, if the teaching in the Grant Medical College was not properly carried on, how was it that Assistant Surgeons have proved to be such able men ? The answer is, formerly no changes took place among the professors who were specialists in the subjects they taught. Gentlemen, I have to speak specially on the grievances of Hospital Assistants ; but, before doing so, let me tell you, gentlemen, that the grievances of Assistant Surgeons also are very great. From the last annual report of the Civil Medical Department it may be seen that 1,819,440 patients were treated at 251 dispensaries manned by Assistant Surgeons and Hospital Assistants, whereas the total number of patients treated at civil hospitals was only 341,347. But the salaries of Civil Surgeons amounted to Rs. 2,46,068, whereas of the other medical officers to Rs. 90,294 only. Thus with economy more work was done at dispensaries. Formerly Assistant Surgeons got Rs. 200 at the start, whereas now they get Rs. 100 only, thus, though the preliminary educational standard has been raised, the service, instead of progressing, has retrograded in point of pay. Assistant Surgeons have produced such able men as Dr. Bhalchandra and Ghole. As regards the surgical skill of the latter, it is admitted on all hands that very few can surpass him. Assistant Surgeons are gazetted officers ; still officers of similar standing in other departments of Government have got better prospects and status ; even their position at levees, darbars, and other official meetings is not as it should be. Gentlemen, now as regards Hospital Assistants, Dr. Bahadurji has already told you that their pay at the start is no better than that of a pattawallah. This pay is quite inadequate to a decent maintenance, whereas their qualifications are of no mean order, as they have to undergo a previous training in a Medical School for three years in Anatomy, Chemistry, Materia Medica, and Pharmacy, Physiology, Theoretical and Clinical Medicine, Theoretical and Practical Surgery, Midwifery, and Medical Jurisprudence. When such passed hands are sent in charge of dispensaries, the question put on all sides is as to their pay, and they are considered worth only their pay whatever their abilities may be. Besides subordinate revenue officers look down with an air of superiority on them, so much so that I know of instances in which subordinate revenue officers had expressed themselves to the effect that it was derogatory to them to socially associate with low-paid Hospital Assistants. Once a very good-hearted Assistant Collector had said to a Hospital Assistant that though Government

had entrusted to his care some thousands of persons, whom he could kill at his pleasure, Government paid him for the purpose the very grand sum of Rs. 25 per month. By the remark he meant that, though the responsibility placed on him was so great, he only got the paltry sum of Rs. 25. The entrance examination of the students to the Hospital Assistant class is as stiff as that of the Apothecary class. However the latter students get Rs. 26 in addition to uniform and lodging, &c., whereas the former only get Rs. 8 or 9 to 10 only. Members of the Apothecary Class can rise to Rs. 700, whereas Hospital Assistants can rise only to Rs. 55 in the civil department. (Cries of *Shame* !) In the Police a Constable can rise to be a first grade Inspector drawing Rs. 275. In the Revenue Department there have been instances of persons having studied as far as the fifth or sixth standard who have risen to be Deputy Collectors. In the Public Works Department there have been instances in which subordinates have risen to be Executive Engineers. In the Military Department a private can rise to be a Subedar-Major. But the Hospital Assistant must rest content with Rs. 55, and 55 only. It is true that Government do occasionally confer the title of Rao Bahadur or Khan Bahadur on senior military Hospital Assistants for meritorious services. But the newspapers naturally ask why such high titles should be conferred on those who get such small pay. In the mofussil it is the Hospital Assistants who have made European medicine so popular. Even at civil hospitals the name of the Civil Surgeons is known to only a few, whereas the Hospital Assistant attached to the hospital is known to everybody, and his services are availed of by all. As an instance, I may mention that at Ahmedabad it was the late Mr. Abraham Benjamin Erulkar who made European medicine so popular there. Besides there are two Hospital Assistants who are teachers of Materia Medica and Pharmacy in the two medical schools of Ahmedabad and Hyderabad (Sind). Mr. Luxmonsingh, the teacher of Materia Medica in the former, has been highly eulogised from time to time in every annual report. Besides he is House Surgeon to the civil hospital of the place, whereas at Poona there is a House Surgeon on Rs. 500, though the population of the latter city proper is less than that of the former. Thus a great saving is effected to Government. I beg to quote below what the *British Medical Journal*, the most influential medical journal in the British Empire and the organ of about 15,000 medical men, says about Hospital Assistants. It says :—"The title of 'Hospital Assistant' distinguishes in India a large and useful class of native medical subordinates, who in native regiments occupy a somewhat analogous position, and perform similar duties to the class of Assistant Surgeons (formerly Apothecaries) in European regiments. Hospital Assistants are also employed in charge of jails, dispensaries, sub-divisions, &c., in the civil department, and are often entrusted with independent medical charges of importance. They receive a good practical education and training. In Bengal they are called 'vernacular licentiates.' This official designation, by which they have hitherto been known, was felt to be hardly descriptive of the status which they occupy and the duties which they perform. It is now proposed to bestow on them the title of 'Sub-Assistant Surgeon.' They are a most useful and meritorious class of men and deserve encouragement." (*Loud cheers.*)

I therefore beg to suggest that, as recommended by the *Indian Medical Record*, a very influential and able medical journal published in Calcutta, the maximum pay of Hospital Assistants be raised to Rs. 150. The present designation of 'Hospital Assistant' is a misnomer. In fact, it has no meaning. Even a hospital bhisti or sweeper is one who assists at a hospital. It is therefore necessary that Government should change the designation to Sub-Assistant Surgeon as recommended by Dr. Sir William Moore. Hospital Assistants have got no substantive rank at present. Now they are said to be holding a rank above all non-commissioned and below all commissioned officers. But in reality such a rank does not exist. Senior Hospital Assistants should be given the rank of Subedar-Major and the others of Subedar and Jamadar. Hospital Assistants are frequently transferred from one part of the Presidency to the other. The consequence is that they are put to great pecuniary loss. I know the instance of a Hospital Assistant who was transferred for no fault of his from one

division to another. He had to incur an expenditure of Rs. 150 for his travelling with family, whereas he got only Rs. 22 from Government. What a great hardship it must have been to him who received such poor pay. Therefore Hospital Assistants should not be transferred from one division to another. When Hospital Assistants pass their final examination, they get only a certificate to the effect that they are qualified for the grade of Hospital Assistant. This certificate has really no meaning. Truly speaking they should be granted the diploma of licentiate of medicine and surgery, whereas the present licentiates should be granted the degree of M.B., as they are graduates and not mere licentiates. (*Loud applause.*)

The resolution was then put to the vote and unanimously carried.

Resolution VIII.

Mr. R. K. Kama (Bombay) then rose to move the Eighth Resolution as follows:—

I. (*a*) *That this Conference regrets that adequate steps have not yet been taken to carry out the recommendation of the Education Commission to revise the antiquated standards now obtaining in primary schools, and strongly urges upon Government the necessity of introducing in those standards the important subjects of drawing, elementary science, and manual work, and of providing the necessary models, apparatus, and tools for that purpose, and lastly of bringing about a thorough improvement in the syllabuses and methods followed in the Training Colleges, so as to prepare really efficient teachers for conducting the work of primary education in a proper spirit.* (*b*) *That this Conference is of opinion that the present agricultural and drawing classes attached to High Schools are not fulfiling their purpose adequately, and strongly urges the necessity of framing a systematic grant-in-aid code for encouraging the establishment and maintenance of science, art, and technical schools by Municipalities and other Local Bodies on the lines of the South Kensington and City and Guilds of London Technical Institute Regulations. That a Committee, consisting of the Hon'ble Rao Bahadur Ranchhodlal Chhotalal, C.I.E., the Hon'ble Mr. Javerilal Umiashanker Yajnik, Mr. D. E. Wacha, Dr. M. G. Deshmukh, and Mr. T. K. Gajjar, with the last two gentlemen as Secretaries, be appointed to submit practical proposals for carrying out the above object and to move Municipalities and other Local Bodies, as well as Native States, to establish science, art, and technical schools, and formulate standards and courses of instruction suitable to the requirements of each locality and to take all such measures as they may deem necessary for the furtherance of the above object.* (*c*) *That this Conference puts on record its satisfaction at steps having been taken by Government to increase the salaries of primary school teachers, but urges that Government will be pleased to carry out this reform without diminishing the present number of primary schools.* (*d*) *That this Conference puts on record its sense of gratitude and satisfaction at the declaration made by His Excellency the Governor at Dharwar of the desirability of free primary education in this country, and this Conference trusts that His Excellency will, before the expiry of his term of office, take some measures in the direction of conferring the boon of free primary education on the people of this Presidency as is the case in England under the Education Act of* 1891. (*e*) *That this Conference is of opinion that the rules framed by Government under Section* 24 *of Bombay Act VI of* 1873 *should be so revised as* (1) *to leave the Municipalities at*

liberty to make primary education in their schools completely free to all, or at least to all that are really unable to pay for it, without any distinction of caste or creed ; (2) *to allow the Municipalities to fix their own percentages of free studentships and scholarships* ; (3) *to remove all restrictions regarding the distribution of free studentships and scholarships between the various classes, except that preference be given to pupils of backward classes* ; *and* (4) *to allow the various Municipalities to determine for themselves, subject to the control of local educational officers, what classes other than Mahomedans should, according to local circumstances, be grouped with the backward classes. That this Conference is further of opinion that no restrictions regarding free studentships or scholarships should be laid down in the case of aided schools and specially those aided by Municipalities.*

Last year this time at Ahmedabad I had the pleasure of advocating before you the cause of higher education, but because I am going to lay for your acceptance this afternoon a proposition essentially dealing with primary education, I wish you by no means to believe that we are satisfied with, or any the less anxious for, the progress of high education. I therefore take this opportunity, as I feel strongly on the subject, to remind you of the weighty words of the late lamented but distinguished scholar, Kassinath Trimbuk Telang—(*applause*)—in his celebrated minute to the Education Commission, "that without higher education mass education can be of no avail although it might be secured." And the argument so often urged that for the money spent on giving higher education to one student you might give primary education to more than one hundred students is to my mind utterly futile and unworthy even of a moment's consideration. These remarks need no comments ; but, gentlemen, we have found such utter indifference and disregard in educating the masses for all known rules and principles of the modern schools of educationists as regards infant culture and elementary popular education that I cannot help telling you that the State has been unpardonably neglectful of its duty in not rearing the infant mind of the Indian peasant with that vigilant and fostering care which is necessary for making him an intelligent and moral citizen. This Conference has therefore thought it necessary to lay the propositions which I move for your acceptance.

I will, gentlemen, now, with your permission, deal with that portion of the resolution only which relates to revision of standards and curriculum of primary education, leaving the other speakers who follow me to deal with the rest. To begin with, let me remind you that the educational charter of the people of India—the famous despatch of Sir Charles Wood, which lays down amongst other things that the State should undertake the education of the masses,—dates so far back as 1854. There existed then what is known as the indigenous schools conducted by *puntujis* on Oriental lines. Side by side with them was established the village school as laid down by the late Mr. Erskine, of the B.C.S., the first Director of Public Instruction, to teach reading, writing, arithmetic, and accounts, the map of the zilla, together with the rudiments of useful knowledge and the science of common things, and a little singing and drawing. This comprehensive course was thought adapted to the Bombay ryot so far back as forty years ago. Since then, instead of improving this course or keeping it abreast with the times, our educational authorities have slept over it ; nay, they have even allowed it to deteriorate. Though drawing, science, and singing form part of that scheme, would you believe me, none of these subjects have been taught up to this date ! In 1866-67, and latterly in 1870-71, when the demand for village schools grew more apace than Government could meet it, these schools were founded on a firm basis by the levying of the cess on elementary or vernacular standards, which were finally adopted and prescribed, but neither drawing, singing, nor science formed any part of it, and that facilitated course is still considered good, if not too good and too liberal, though a whole generation has since passed by. Society has advanced, our wants have advanced, science and knowledge have advanced by fast strides, and owing to the last the methods of teaching have also advanced. The educational codes of France, Saxony, and

Prussia have been, from time to time and from year to year, altered and revised to keep in line with the highest modern thought of the scientific and educational world. The Americans incorporated them, Great Britain adopted them not to be behind in the race for civilization, but Great Britain of which India is a part has not kept at a respectful distance from the march and advance of elementary education. Not only are the European codes altered and revised as time advances, but instructions are issued to inspectors and teachers containing directions as to the best and most enlightened methods of training the infant mind. These modern educational codes and instructions have, so to say, not been introduced, but the matter taught and method pursued being decade back. The first principle now recognised in teaching is that the concrete should precede the abstract or at least should go hand in hand; but the abstract should never precede the concrete. Therefore the numeration and notation of figures are no more taught by rote. The principles of numbers are explained, so that the child is made to understand and grasp whatever it is made to say. The child is no more expected to repeat his *anks* and *ka kha* by heart without understanding in an intelligent way their functions. These the child can never do unless it is led by the modern process from the concrete to the abstract, the synthetic to the analytic. The arithmetic taught in our village schools would be considered in any advanced civilized country as nothing short of inhuman or fit only for that species of the animal world known as parrots.

I will read to you what the report of the Education Commission says on this. In the first, second, and third years their minds are stored with figures, but their imagination and emotional faculties are entirely ignored. Take another instance, reading. In the code for Saxony, reading by spelling is entirely prohibited. The practice of oral spelling is not only wearisome and uninteresting to the children, but it often fails to effect its intended purpose. Learning of syllables before words is condemned as the syllable by itself creates no interest in children's mind. Even word teaching is excluded. The process is the reverse. The child is made to express in simple sentences what it hears, sees, or feels. The sentences are broken into phrases, phrases into words, and so on. I can go on multiplying instances, but the examples already given suffice to elucidate what I mean. Gentlemen, further we are not behind the European masses, but the Bombay ryot is far behind that of Bengal and Madras. (*Applause.*)

Dr. M. G. Deshmukh (Bombay), in seconding the motion, said :

MR. PRESIDENT AND GENTLEMEN,

In seconding the resolution proposed by Mr. Rastam K. R. Cama, I beg to refer to the second part of it which deals with technical education. Technical education, gentlemen, is the great and pressing want of our country. This fact is admitted by all—by the Government as well as the people. Still during the past years no substantial progress has been made in that direction. The Government has always shown in its despatches and resolutions great concern for the industrial development of this country. The burden of the great educational despatch of 1854 is the imparting of useful and practical knowledge to the Indian people. The Education Commission in their report emphasised the same principle—that of giving useful knowledge to the masses. But the resolution of 1886 regarding technical education issued in Lord Reay's administration dealt more directly with this subject. It has surveyed our industrial condition in a fairly sympathetic spirit. It divides our industrial arts into three classes : (1) agriculture, (2) art industries, and (3) mechanical industries. It found the Poona College of Science well equipped to teach high scientific agriculture, and the Bombay School of Arts to teach fine arts, such as drawing, painting, and sculpture, and it noted the deficiency of a central institution competent to teach mechanical arts, the knowledge of which had of late been in great demand owing to the rapidly-growing mill industry of Bombay. This deficiency was made up by the establishment of the Victoria Jubilee Technical Institute in Bombay which may be said to be the direct outcome of this important resolution of Lord Reay's Government. It also notes the

several agricultural and drawing classes attached to the High Schools in the Presidency as supplying a great want. But it should be mentioned here that, as complained of in the text of the resolution before you, these classes being misplaced are not fulfilling their object adequately. The sons of agriculturists rarely go up to High Schools for their education, and hence the agricultural classes attached to the High Schools are not so well availed of as they should be. The proper place for these classes would be small towns and villages where they must be incorporated with the primary schools. Similarly, instruction in drawing must be begun very early, and it must also be incorporated with primary education. The Government resolution further suggests that, beyond maintaining the three central institutions and the agricultural and drawing classes attached to High Schools, Government is not, owing to its financial difficulties, able to do anything more for the technical education of the country but give grants-in-aid to local efforts in that direction. Thus you will see Government leaves a good deal to local efforts and private enterprise to do for the technical education of the people. For technical education to be really useful it must reach the industrial and agricultural classes. Its real work then is in the mofussil. Our agriculture as well as our industries require a thorough infusion with the new scientific ideas and methods, and to do this we must have a network of small trade schools and technological and science and arts classes all over the country. Government cannot do this and it leaves it to the people. With the extravagant military expenditure and the very costly Civil Services to maintain, Government cannot find funds to devote to such objects of internal reform! But they have liberally promised to give grants-in-aid to local efforts. The people therefore must take up this task on themselves and the municipalities, local boards, and private associations of rich capitalists must move in this matter. The people do recognise the necessity of this kind of education, and there is a vague notion to do something in this direction. They are not unwilling to spend large sums of money too for that purpose, but they do not know the way in which they should proceed to do this. Without the knowledge of the proper methods of dealing with this subject of industrial development of the country, their efforts are sometimes productive of ridiculous results or are merely wasted. I shall mention a few instances. At Ahmedabad, where there is a large industrial population, there is, I am told, what they call a technical school. It is maintained by the local municipality, and, will you believe, it consists of a single drawing class, and its monthly expenditure does not exceed Rs. 5! At Limbdi again there was erected in the Jubilee year a nice building for the Jubilee Technical Institute. Seven full years have rolled on, and the building is still vacant. Again, there is what is called the Imperial Institute established in London. There the best samples of Indian indigenous arts are collected in a museum for the edification of the British manufacturer and tradesman. Similarly, all sorts of Indian raw produce are collected there and small tracts, called the Imperial Institute series, are published in English, giving full particulars as to the places whence they can be got, in what quantities and for what prices. This is what the Imperial Institute does for India! Will this tend to the development of our indigenous arts or will it rather lead the British manufacturer to apply his service and his improved appliances to the production of articles at a much cheaper cost and compete with the products of the Indian indigenous arts in their own markets and drive them out of them and thus crush the only surviving Indian arts to extinction? Yet, with the idea of doing some service to the development of our industrial condition, our princes and noblemen and our rich merchants subscribed liberal donations for the establishment of this Imperial Institute in London, not to mention that a part of its maintenance charge is saddled on the Indian taxpayer. This, however, shows that our people are very anxious to do something for the industrial development of this country and are willing to spend money too for that purpose, but what is wanted is that their desires and efforts require to be properly directed. This can be done by an association or committee of private gentlemen taking interest in technical education and able to collect information and give advice on the matter. With the purpose of forming such a body we ask your permission to appoint a small committee to begin with of persons mentioned in the resolution. It will be their duty to approach Government with suggestions regarding the

formation of a regular grant-in-aid code for technical schools and classes and also advise local bodies and gentlemen regarding the formation and equipment of schools according to the requirements of each district. Some few years back the condition of technical education in England was far from desirable although there were the City and Guilds of London Technical Institute and the science and art department of South Kensington offering liberal grants for technical education. But when the National Association for technical and secondary education was formed, it gave such an impetus to the improvements and spread of technical education that it produced wonderful results in a few years. We must work here on the lines of this Association, and we will be able to produce satisfactory results in a short time. We must take up this task and do our best to achieve progress in the desired direction. We must help ourselves in this matter. We must apply our shoulders to the wheel if we would drag the industrial car of our country out of the mire in which it has stuck for many long years. (*Loud cheers.*)

The Hon'ble Mr. Chimanlal H. Setalvad (Bombay), who was received with cheers, supported the Resolution as under :—

GENTLEMEN,

In supporting this proposition, I propose to confine myself to clauses (*d*) and (*e*) relating to the subject of free primary education and the rules governing free studentships and scholarships in schools maintained and aided by municipalities. Gentlemen, it is now recognised in all civilised countries that the education of the children of the country is not the private concern of their parents, but is a matter of public concern like vaccination or other sanitary measures, and is considered of such special importance that the public purse should bear the cost. (*Hear, hear.*) Said Lord Macaulay, "I hold that it is the right and duty of the State to provide for the education of the common people. I say that the education of the people ought to be the first concern of a State, not only because it is an efficient means of promoting and obtaining that which ought to be the main end of Government, but because it is the most efficient, the most humane, the most civilised and in all respects the best means of attaining that end. (*Cheers.*) The duty of Government, gentlemen, is not discharged by enacting laws for the prevention of crime and erecting prisons. (*Hear, hear.*) They are bound to go further and provide effective preventatives of crime, and foremost amongst them is the education of the masses. It has been found by experience that as education advances crime decreases and, as Sir John Lubbock very patiently remarked only recently, the opening of a school means the closing of a prison. Following these principles, in almost all civilised countries in Europe primary education is now made free, and in some it is even compulsory. By the Education Act of 1891 primary education in England is now made completely free without any charge for books, slate, and drawing materials. It is given free, not on the ground of poverty, but to all alike as a matter of right. Mr. Auckland, in introducing the educational estimates in the House of Commons last August, said that, as the result of the Act (42,50,000) forty-two lakhs and fifty thousand children were receiving education free in England, and £8,213,816 sterling are spent on primary education in England and Wales. Two millions sterling was passed this year for compensation to school managers for compulsory remission of fees. (*Hear, hear.*) Contrast this, gentlemen, with what we are doing here in this Presidency. The total number of children going to primary schools comes to only 5,25,817 and the total expenditure on education on all heads is only twenty-four lakhs and twenty thousand rupees, making the magnificent percentage on the total revenue of the Presidency of 1·7—(*Shame*)—the expenditure on primary education alone being only Rs. 15,26,000. Gentlemen, it is to be remembered that we are spending over fifty-six lakhs of rupees on the Police, which is nearly double that spent on education. (*Shame.*) Not only is the educational grant inadequate, but the tendency has been to increase fees and lessen the number of free studentships. In Government schools free studentships are abolished altogether and the municipalties are restricted from entertaining more than a particular percentage of free studentships in their schools, and now these restrictions are sought to be applied even to schools aided by municipalities. In future such schools will only be allowed to have a certain percentage (fifteen) of free students, otherwise they will lose their grant. (*Shame.*) So, while the

authorities in England are progressing in one direction, their wise representatives here are marching exactly in the opposite direction, while the managers of private schools are to be given a large amount of compensation for being compelled to forego fees in their schools. Such managers in this country are told that they would suffer a penalty if they attempt to entertain more than a small number of free students. (*Shame, shame.*) But, gentlemen, the importance of spreading primary education in this country can be over-rated. I attribute the disgraceful scenes that have caused us so much anxiety of late, not to any of the fanciful causes that have been suggested by various imaginative minds, not even to the latest invention in this behalf—the sedition of the Brahmins—(*laughter*)—but to the lamentable want of education in the lower strata of the conflicting communities. (*Hear, hear.*) I believe, gentlemen, the money that is being wasted on punitive police and expensive trials would be better spent on the education of the masses. (*Cheers.*) It must be said, gentlemen, to the credit of His Excellency Lord Harris that the grant on primary education has no doubt increased in his time, but what I do say is that it must increase much more and much faster. It is indeed gratifying to find that Lord Harris in his recent speech at Dharwar admitted that, so far as he was concerned, he believed that free primary education in this country was really a good thing. I must say, gentlemen, that the announcement came to me with mingled feelings of gratification and surprise, and looking at the predilections of the Educational Department, I still entertain apprehensions that the department might prove too strong for His Lordship. I sincerely trust His Excellency at least in this matter will be able to rise above the manœuvres of the beaurocracy and enforce his views. (*Cheers.*) Clause (*e*) of this resolution asks that the municipalities should be at liberty to make primary education in their schools completely free or at least to fix their own percentages of free studentships and be also unhampered by the present meaningless and mischievous restrictions regarding their distribution. Gentlemen, I have fully treated this matter in a memorandum that I have recently submitted to Government and am anxiously awaiting the orders of Government about the matter. I will not, therefore, detain you at any length on the subject beyond going to the salient points of the controversy. In 1884 the Vernacular Masters Code was introduced and was made applicable to schools maintained by municipalities. That code did not lay down any maximum percentage of free studentships, but said that in the free studentships to be distributed half was to be reserved for the backward classes. In 1887 a revised code was introduced, without consulting the municipalities, laying down that the municipalities cannot offer more than fifteen per cent. free studentships, and these again must be divided into two halves, one-half being absolutely reserved for the backward classes. The result of an absolute reservation of one-half for the backward classes can well be imagined in certain towns where there is no backward population at all. The result is that even the fifteen per cent. maximum is only in name, and many towns are hardly able to attain even ten per cent. Take, for instance, the case of the city of Ahmedabad. The maximum number of free studentships for the municipal schools in Ahmedabad is four hundred and seventy-two, of which number two hundred and thirty-six are reserved for Mahomedans and backward classes, but as there are very few applicants of these classes, the majority of these two hundred and thirty-six, there being only 116 free students of their classes, go unfilled. In the new rules that have been proposed lately these restrictions are to be applied to other schools, and further in the case of such schools that are secondary; still that one-third of the free studentships must be issued for Mahomedans, one-third for other backward classes, leaving only one-third for the so-called forward classes. I may quote the instance of a private English school at Ahmedabad and show how unfairly these restrictions would work. That school has three hundred and forty students on the roll, only two of whom are Mohamedans, but under this scheme eleven scholarships must be reserved for Mahomedans, so that nine of the studentships will remain unfilled, and poor Brahmin or Bania students will not be allowed to get them. And if the managers of this school fail to perpetrate this iniquity, this grant must be withdrawn. (*Shame.*) This is a grievance so patent that its condemnation does not require any strong advocacy on my part. (*Cheers.*) However, the classification and so-called forward and backward classes, which absolutely lays down that a Brahmin or Bania in any locality must

go in the list of forward classes is unjust and arbitrary. I need not tell you that in many parts of the mofussil Brahmins are only cultivators or are doing domestic work; why should there be any hard and fast rule that they must be considered as belonging to the forward classes irrespective of local circumstances? (*Cheers.*) We want this grouping to give way to a more rational and reasonable system. It is important to note, gentlemen, what Mr. Howard had to say in 1860 in regard to this distinction of classes. He said: "It seems as if it might be again necessary to indicate the impartiality of Government from the attacks of an opposite party, those who would lay a penalty on Brahmins.* * * It appears to me beyond question that it would be unbecoming for the administrators of State education to show the partiality of favour or of disfavor to special classes on the score of birth or religion." I think, gentlemen, I have sufficiently laid before you the importance of the resolution and the reason why I support it, and I now commend it to your acceptance. (*Loud cheers.*)

Mr. M. R. Bhatt (of Baroda) said :—

MR. CHAIRMAN AND GENTLEMEN,

I heartily second the proposition just laid before you about the reforms so urgently required in primary schools and the schools of their masters—the training colleges. I know, gentlemen, that some of you might be holding primary education in such an esteem as to sympathise with, for instance, the Emperor Napoleon, when he sent word to Pestalozzi that he had no time to devote to questions of A. B. C. But I may tell you, gentlemen, that this same Pestalozzi was once affectionately embraced by Alexander the Great of Russia, that after the battle of Jena, the Prussian Government adopted the educational system advocated by him for the development of their country and that Queen Louisa wrote the most touching words of sympathy and reverence in her diary.

I may tell you, gentlemen, that primary question, if a small question, is small like the acorn which holds the mighty oak within it. As a matter of fact, gentlemen, the question is of the highest importance. Why? Perhaps you know the story how Antipater asked 50 children as hostages from Sparta and Sparta sent a hundred grown-up men. Sparta thought and rightly that the development of grown-up people had reached its limits, while they thought that children, if properly educated, can be developed into anything. That is the spirit, gentlemen, in which I wish you to handle all questions of education. I wish you to understand the deeper significance of Wordsworth's well-known line, "The child is father of the man." I wish you to understand that our greatest hopes are in our children. I wish you to understand that educational agencies, though they may not show their great results soon, do bring them forth in the course of a generation. (*Cheers.*)

They are like those whispering galleries in which words spoken in one corner, though not heard in the middle, are distinctly heard in the open corner opposite. I wish you to realise, gentlemen, the importance which all civilized countries attach to education. The people in Switzerland spend no less than one-fourth of their total income on education. When you realise that, I am sure you will agree with me that our educational machinery wants repairs, removals and innovations to a large extent. I take my illustration from the manufacturing industries to suggest to you that the folly of contemning inadequate methods and courses of study is not less than that of a merchant working his spinning factory with machinery which is a hundred years old. In fact, gentlemen, the evil is far greater. Our teachers know nothing at all about the question of why to teach; they know nothing about the final cause of all education. No wonder that they fail. Again our teachers know little about the question of how to teach. They know little indeed of the right methods of teaching and educating. Even the question which is much simpler than the other two the question of what to teach, the question of standards has not met with any adequate consideration. I find that our primary standards have remained the same, with all their errors of gradation, with all their conflicts with the known laws of logical and psychological sequences,

with all their defiance of the very aim of education. The reason is that the question of what to teach has been divorced from that of why to teach, and efforts are made to bring forth results without understanding their actual tendency. What would you say, gentlemen, to a carpenter who sets about making a chair without knowing what it is used for ? The position of our teachers is similar. I therefore wish you to understand the absolute necessity of urging the Government to do what the Governments of Saxony, France and many other States in Europe have done, *viz.*, to prepare their codes with full instructions to the teachers about how the different subjects should be handled, with directions to the Inspectors to inspect the methods more than the results—the causes more than the effects. I find, gentlemen, that the reports of the Director of Public Instruction contain nothing but figures, that the Inspectors report nothing but figures, and naturally the teachers care for nothing but figures. Are there any reports published in our Educational Records like those of Dr. Arnold, who showed the same great qualities as an Inspector of Schools as he did as a critic and a scholar ? And now, I may be allowed to give you one instance of what I regard as a lamentable want of zeal in our educational authorities. You know, gentlemen, that there ought to be and there are different methods of teaching the foreign languages. Many of you must have seen the French Principia, German Principia, a Greek Principia, and other like books. Have the educational authorities hitherto done any thing whatever to facilitate the study of English ? Our boys read the same books in the beginning that are read by English boys, and the result is a great waste of time. Once let that go. Let us now remind the educational authorities of their responsible duties and let us urge on them the necessity of fulfilling them better. My business now is only to press upon you that necessity of reforming our standards both of our primary schools and training colleges, but I can't help drawing your attention to the fact that the work of primary education is more important and more responsible than that of the so-called higher education and demands better teachers. I have said, gentlemen, you would not entrust the big trees, but the tender plants in your garden to the best gardner, and still you think the work of spiritual formation can be entrusted with impunity to incapables.

I believe all of us are grateful to your worthy friend the Hon'ble Mr. Chunilal Harilal Setalwad for having raised to whatever small an extent the position of assistant teachers. I don't think I need enter into the details of the primary school standards and show the errors one by one. You may take my word for it, for I have been connected with a training college for the last four years and have had opportunities to go into all details. Those details of the course of education are not likely to interest you. I now only appeal to you respecting your schoolboy days. Think, gentlemen, of what you felt then and say in all frankness whether you did not like all holidays, whether you did not even run away on several days, whether you did not privately curse many of your lessons as dull and dislike your teacher. And then think whether any teaching which cannot be made interesting can be really good. (*Cheers.*)

But let us not be hard on the poor teachers. They know no better and mostly because the teachers of teachers, the teachers of training colleges themselves, know not what they *should* do. You will hardly believe, gentlemen, the gross ignorance of the very first principles of education betrayed by people calling themselves educationists. People pretending to teach all methodology, do not yet know the meaning of analysis and synthesis, as you can very well find out if you cast a glance at the text-books. The Principal of a Training college lectures on the methods to be followed in teaching different subjects, while the professors or teachers of those different subjects know nothing of those methods. Can anything be more deplorable? And there is hard by our Training College in this Presidency in which the evil does not exist. Again, after teaching their would-be teachers the methods by which they must teach different subjects, who are appointed to examine their work—people knowing all about methods ? Not in the least. I believe, gentlemen, you will see specimens of the highest folly if the questions of Primary School Inspectors are brought to light. But the educational minister of Holland spoke wisely when he said that the Inspectors are men whom you ought to select with lamps in your

hands, for it is they who can influence the profession for better or for worse. And really, gentlemen, it is the Inspectors to whose demand supply will respond. If the Inspectors want it figures will be produced ; if they want only memory, memory only will be exercised. And what else is done ? I therefore suggest, as I have already said, that there should be full instructions to the Inspector specified in the educational code that they may really know what sort of demand to create. (*Cheers.*)

I am not digressing, gentlemen. The question of examiners and examinations is too intimately connected with the question of standards to be separated from it. And how are our examinations conducted from the primary school to the university ? Are not many of the examinations a torment and a scourge ? I am not irreverent, gentlemen. I do not speak against the system of examination, which is certainly not an evil when duly conducted. Why, examinations in the abstract may be the best possible thing in the world. (*Cheers.*)

But the best things when corrupted become the worst. And certainly some regulations are imperatively required to guard many of our examinations against the easy work of examining by mere rote learning, &c.

But I should return to the training colleges. And now I think I may draw your attention to a most absurd practice that has been religiously followed for the last 20 years. What is it you will ask. It is the practice of sending all the new youths as they enter the training college immediately to the practising school to experiment on the tender children sent there. They are sent there, and—note this, gentlemen—before these are instructed even in the rudiments of pedagogy, they are sent to work on the finest faculties of their children. What would you think, gentlemen, if the Principal of the Medical College took it into his head to send all freshmen to the hospital with full powers to experiment on the poor patients. Why the dissecting house will have all its wants supplied. Is education then less responsible than medicine ? To my mind it is more. Its aim includes forming as well as heating ; its object is to produce mental strength and health as well as to remove all diseases of the mind. Education is to medicine what the mind is to the body, and yet people seem to think otherwise, and do not care to see how their spiritual nurseries and hospitals are conducted. Why if they look into them, they will find a great number to be mere quacks and impostors. (*Cheers.*)

I say, therefore, get your standards reformed, improve your training colleges, which are at least as important as your medical college. Let the license be given after an adequate list, let your professors be no quacks, but really sound in their respective subjects. This is what I mean by a reform of standards. Reforms in paper are important to do any good ; let reforms be introduced in the actual working of the institutions. Let the institutions be reformed. For if you look to it, no subject is of greater consequence. What did the French do after 1873 ? One of the first things was the reform in education. Let us be inspired by a similar spirit. Let us have a similar faith. By education, and by education alone, to a very great extent we shall determine our rank in the scale of nations. I therefore once more affirm that I heartily support the proposition about educational reform placed before you by our friend Mr. Kama. (*Cheers.*)

Mr. K. M. Javeri (Bombay) said :

MR. CHAIRMAN AND GENTLEMEN,

The subject I am going to take in hand this evening is one which shows how the unfortunate order of the day with Government, viz., the accentuation of the difference in caste and creed, has been brought upon to bear the province of free education, a province which it is evidently desirable should at least have been kept free from it. Gentlemen, you perhaps know that primary education, since the passing of the Education Act in 1891, is rendered wholly free and unconditional in England and Wales. If in countries which stand in the van of civilization, education is considered such a necessity, I leave you to judge how much more so would

it be in such a backward country as ours. Our masses are ignorant, and it is the bounden duty of an enlightened and humane Government to give them every possible facility in the way of their education. I think every one of you will admit the justice of what I have said. We shall now see how Government have discharged this trust. (*Cheers.*)

Before going into the present state of free education in the Presidency, I shall reproduce the views held by responsible Government officers of the department. The first was Mr. Erskine, who so far back as 1855-56 had fixed one anna a month and in some cases one anna and-a-quarter as the fee in vernacular schools. Over and above this low scale of fees there were free studentships provided for any number of such scholarships, be they Brahmins or Kolis or Bhils. Books were freely supplied to them without any charge. Mr. Howard's distinguished elementary vernacular education soon advanced, and that in certain special cases raised the standard of fees a little, but still with regard to free studentships he followed the practice of Mr. Erskine. In 1866 Sir A. Grant talked of at least 25 per cent. of free studentships, and in 1869 the number was reduced to 20, but this measure was then confined only to Government schools and again took no notice of class distinctions. It was in 1876 that Mr. Chatfield pressed that the claims of the backward classes should be preferred, but it was left wholly to the energies of that versatile Secretary of the Government to first lay down by circular in 1885 that the free studentships should be divided equally between the advanced and the backward classes ; and supposing there were no candidates of the backward classes to avail themselves of the boon, it should remain unawarded, but under no circumstances should it be awarded to the advanced ones. Unfortunately enough, the idea of the advanced class is inseparably associated with the Brahmins, and to those who remember Professor Gokhle's words about the strange conduct of some officer unnamed who withdrew his contribution because there were many Brahmins among the class of recepients, the order would not appear inconsistent. (*Cheers.*)

Well, gentlemen, that is the case with schools belonging to Government, but what with regard to schools belonging to, or aided by, Municipalities, that state is far worse as I hope to show you.

The Municipal Act of 1873 vested the administration, control, and management of all public institutions maintained by them into their own hands, keeping a proviso open in respect of public education. There they were to follow rules laid down by Government. The proviso itself, I say, betrays on its face a want of *bona fides* on the part of the Government in their dealings. (*Cheers.*) If they could leave everything else to their discretion, why not leave this then also. I do not suppose they need apprehend any evil consequences from a rapid advance of education. (*Cheers.*)

In 1886 Government promulgated a rule that the rules of the Educational Department as regards free students shall be observed in municipal schools. These rules were that free students should in no case exceed 15 per cent. of the total number on the roll, and that free boys of the advanced classes, such as Brahmins and other trading classes, must in no case exceed one half of the sanctioned percentage, the other half being reserved for the so-called backward classes. All this looks very fair on paper, but when we come to see how it works we at once find out the mischief lurking within. In the first place it lays down a restriction, says you can entertain only 15 boys out of the total number on the roll and no further, and also half of these 15 must be no other than Bhils and Kulis ; if there are none of the class to avail themselves of it, leave them unawarded, but do not give them to deserving poor boys of Brahmins or Banias. Gentlemen, mind that this is in case of schools maintained from municipal funds. It is in one sense prohibiting them from using their money at their free will and tying down their hands in matters educational. I will not enter into figures, but give you very shortly facts as to their reliability which show that in no school do the so-called backward classes come up to the limit specially reserved for them, and that consequently the free studentships reserved for them are lost to the poor deserving boys of the advanced classes. Again in the case of the school-going population the so-called backward classes are comparatively less poor than the higher classes.

The second restriction about the division of the school-going into advanced and backward classes is arbitrary. We give full credit to Government for their kind intentions. The restriction was intended specially as an attraction for such backward races as Bhils and Kulis, who, being unable to pay any school fees, might avail themselves of this free education. But the same division works quite in a reverse way in case of towns and cities. A Bania in Broach or Surat earns from Rs. 4 to Rs. 5 per month as a gumasta and feeds a whole family, the others being unproductive members of the family. A mill-hand, a member of the backward class, and his family earn from Rs. 40 to Rs. 50 per month. The Brahmin, who is on the brain of so many Anglo-Indians, yet lives on his alms in towns, and in villages he is still in the swaddling clothes of an agriculturist. Still it is these who are considered to be advanced and in a position to pay their fees, and are on that score considered unfit to have any more share in free studentships than one-half. (*Cheers.*)

What was the easiest solution of this difficulty, gentlemen. Most obviously that the Municipalities ought to have been left to use their own discretion in the matter and not kept in the leading strings of Government. When the time came for revision of the rule did, Government take a lesson by the arbitrary and unfair working of this rule and modify it? No, if it had done so, it would have broken the continuity of its traditions and hurt its own conscience. The proposed new rule is still more stringent and mischievous.

To show the mischief and stringency of the proposed new rule, I would analyse it. The old rule made no distinction between primary and other schools ; *i.e.*, English schools, it did not apply to award of scholarships, nor did it put schools aided by Municipalities on the same footing as schools aided by Government. Again the old one applied only rules of the Educational Department to the award of free studentships, while this one lay down three distinct standards for such awards. (*Cheers.*)

The first is the application of the Vernacular Master's Code to free studentships in schools maintained or aided by Municipalities. It is the same as that in the old rule for schools maintained by them, the only addition being in case of aided schools. How unnecessary and objectionable this 15 per cent. limit is and how arbitrary the division we have seen before.

The above objectionable feature is still more accentuated by applying the principle of Government scholarships to free studentships in secondary schools, such as English and Anglo-Vernacular schools aided or maintained by Municipality. The limit here also would not be greater than the 15 per cent. fixed for primary schools. The division here is not in halves, but in one-third for the non-Mahomedan backward classes, one-third for the Mahomedans, and one-third open to all. That the one-half division looks mischievous enough in the case of primary schools is apparent enough, neither the Mahomedans nor the backward classes nor both of them coming up to the limit reserved for them. How very monstrous it is then to keep two-thirds of free scholarships for them in secondary schools. Had I time, I would have shown you how this restriction works against the classes themselves and unnecessarily prevents poor students of the advanced classes who deserve in all respects, but for that of being Bhils and Kolis, to receive the advantages of free studentships. (*Cheers.*) The third feature is that with reference to the award of scholarships. The old rule was utterly silent about it. According to the proposed rule here the 15 per cent. limit and the division into three equal portions are to be observed. We all know the reason scholarships are awarded. They go by competency, and not by caste and creed. One does not know why in such matters which can readily be governed by just principles Government draws such invidious distinctions. Apart from this, I will show you how this rule defeats its own object.

All this relates to schools maintained by Municipalities. If it is so mischievous here, how far worse would it prove in case of aided schools. Government requires that the moment a school begins to receive aid from a Municipality it should conform to all those conditions, and

a Municipality can aid only these schools which bow to these restrictions. It is curious that Government bind themselves by no such restrictions. When they grant aid to any school, do you, gentlemen, realise the position of Government? Like the fable of the dog and the haystack, the arbitrary character of the threefold division has taken no note of the relative strength of the different communities.

The hollowness of the answer given by Government to the note of Mr. Chimanlal has been sufficiently shown by him. Government said that, as the Municipalities had made no written suggestions on this point, the inference was that these rules were accepted. But it is really scandalous on the part of Government to say so when neither the new rule nor intimation of Government's intention to make any change in them was brought to their notice. (*Cheers.*) The mockery of this answer will be apparent when I tell you that the moment they were published in the *Government Gazette* the Municipalities objected to them. (*Cheers.*) In the end I would only ask you to unanimously join me in asking Government to let Municipalities have a free hand both in the case of schools maintained and aided by them and that they should be left to judge who are the deserving free students either from the advanced or the backward classes, preference always being given to the latter. (*Cheers.*)

The resolution was then put to the vote and carried unanimously.

Resolution IX.

On the motion of Mr. Karimbhoy Nensey (Bombay), seconded by Mr. Sadashiv G. Gokhle (Bombay), and supported by Mr. Setlur, Barrister-at-Law, (Bombay), it was resolved—

"*That the meeting of the next Provincial Conference be held in Belgaum and that Mr. D. E. Wacha, Mr. A. M. Dharamsi, the Hon'ble Mr. V. R. Natu, and Mr. Chatre be the Honorary Secretaries of the next Provincial Conference.*"

Mr. G. S. Gokhle said :—

BROTHER DELEGATES,

I have great pleasure in seconding the proposition put forth by my friend, Mr. Karrimbhoy Nensey. My friend the Hon'ble Mr. Natu requested me to invite you, brother delegates, to hold your next year's Conference at Belgaum. The Honorable Mr. Natu would have invited you personally, but some urgent business compelled him to leave Bombay for Belgaum. I can confidently assure you that your next year's Conference will be as complete a success as it has been at other places up to this time. You will be cordially received, and every arrangement will be made by the Honorable Mr. Natu and his friends to make your Conference a complete success. Under these circumstances, I recommend that the proposition proposed by my friend should be carried unanimously.

Mr. S. S. Setlur said :—

GENTLEMEN,

I have great pleasure in supporting the proposition just put before you by my friend Mr. Karimbhoy Nensey. The proposition asks you to consent to hold your deliberations next year in Belgaum. Belgaum, as you know, is, in a sense, the capital of the Southern Division. It has an excellent climate. Its natural aspect is not uninteresting. Apart from all this, its citizens have given unmistakeable proof of their public spirit. Last year or year before last they tried their best to induce the leaders of the Congress to hold their meeting in Belgaum, and not only that—they had collected more than Rs. 20,000 for that purpose. It is therefore but proper, gentlemen, that you at least should honor them with your presence there next year. As to the success of your next Conference, you need have no misgivings. The public spirit of the city

and the disinterested earnestness of the Belgaum citizens whom you are asked by this proposition to associate with Messrs. Wacha and Dharamsi as Honorary Secretaries are sufficient guarantee that your Conference next year will be as successful as any that has gone before even including the present one. Being myself a Kanarese man, though not a citizen of Belgaum, I have a right to ask you to honour the Kanarese Districts by accepting this proposition, and on behalf of the people of the Karnataka country, I assure you, gentlemen, that you will have a right hearty welcome in Belgaum. (*Cheers.*)

The Resolution, on being put to the vote, was carried unanimously.

Resolution X.

Dr. Joseph Benjamin (Ahmedabad) proposed :—

That the best thanks of the Conference be given to the Reception Committee and the Honorary Secretaries.

Dr. Benjamin said :—

I have the honour to propose a hearty vote of thanks to the Reception Committee and the Honorary Secretaries. Gentlemen, you know the arrangements made by the Reception Committee were all that could be desired; and, considering the difficulties a large city like Bombay presents, the Reception Committee did all they could for the proper reception of the delegates. Our best thanks are also due to the Honorary Secretaries for the able manner in which they arranged everything in connection with the Conference to make it such a grand success as it has been.

Mr. V. N. Apte, in seconding the resolution, observed that the Conference Committee of Bombay, which is constituted of well-known and busy men of Bombay, are always so busy that their time is money; however, they had taken so much trouble in arranging for the cordial reception of the mofussil delegates and the proper management of the Conference that it was their duty to give their hearty thanks to such high-minded persons for the great public work they had done by sacrificing wealth and health, and he hoped that they would always do such work for the good of their poor and needy countrymen. With these remarks he seconded the proposition of thanksgiving, which he felt would be approved by all.

The motion, having been put to the vote, was carried unanimously.

Mr. Ameerchand Purmar then recited verses in Urdu which he had specially composed for the occasion.

Mr. Bulvantrao next recited verses in Marathi recounting the proceedings of the Conference and complimenting those who had taken an active part in its deliberations. The verses were loudly cheered.

Resolution XI.

Mr. Vijbhucandas Atmaram (Bombay) proposed the Eleventh Resolution as follows :—

That a hearty vote of thanks be accorded to the President for his able conduct in the chair.

GENTLEMEN,

The subjects treated of at this Conference have been of an important character, and our resolutions are nothing but the expression of loyal feelings in respect to grievances under which we have been labouring for several years past. There may be some shortcomings and some defects in our proceedings, but they are nothing but expressions of general feeling, and the Government

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as a kind parent should take an indulgent view of their children. If they take these expressions of opinion in the same generous spirit in which they are uttered, I am sure that immense good will have been done by our meeting here for the last three days. (*Loud cheers.*)

Mr Wacha, in seconding the motion, said :—

Mr. Javerilal has more than fulfilled our anticipations. It is especially satisfactory to note that he has taken a new departure by reviewing the provincial administration of the past year, for nothing could be better, both for the rulers and the ruled, than such a refreshing vivisection, so to say, of the administrative work as the one performed by him. (*Cheers.*)

The motion having been cordially agreed to,

The President, in thanking the meeting heartily for its vote of confidence, said :—

GENTLEMEN,—We had four sittings during three successive days. It is not for me to say how far the Conference acquitted itself on the whole in dealing with the various questions which came up before it. One remark I would make, and that is that, taking everything into consideration, the speakers generally showed knowledge and ability in discussing the topics they had to deal with. It had often been remarked that speakers at Conference or Congress meetings, who talked so loudly about popular grievances, were not in touch with the people. Those present here must have seen that the delegates are not merely from this city, but come from the Deccan, Konkan,and villages so near Bombay, such as Alibag, Pen, Mahim, Oomergaum, Avas, and from the districts of Gujarat. A number of them addressed the meeting and spoke from practical knowledge. (*Hear, hear.*) On the first resolution about revenue enhancements, they were addressed by one or two agriculturists who actually ploughed their fields, and who are known to have twisted the tails of their bullocks while ploughing. (*Laughter.*) One of the delegates, Mr. Mokal, of Alibag, said he paid over Rs. 500 for Government demand on his land, and put his case as to the pressure of that demand on him and as to forest grievances in a few words so tersely and vividly as to carry the whole meeting with him. (*Cheers.*) Other delegates from the Konkan villages discussed the rules relating to free grazing and pasture lands and the levy of fees for such grazing. They expressed their general approval of the new forest resolution of the Government of India, but there was a distinct minority among them, who, while joining in this chorus of approval, qualified it by saying that their appreciation would be more genuine and heartfelt when they found that the new policy was faithfully carried out in their villages in the work of actual administration. Well, I can very well enter into the feelings of this minority. It seems to me that the new forest resolution comes to these people in the Konkan and the Deccan as a godsend at a most critical hour in the history of forest administration in their villages. One of the delegates told us the thrilling story of how only a few weeks back some 3,000 people in the village of Mongrol, in Pen, in the Kolaba District, met in the temple of Mahadev to adopt a petition to Government about the oppressive working of grazing rules for free pasturage lands, and the vexation, annoyance, and harassments they were put to by a low-paid subordinate agency. After the adoption of the petition, they offered their prayers to the great Deity, that He, under whose canopy they had met, would inspire Government with mercy and benevolence in this their hour of distress. The strange coincidence between this prayer offered with one united voice and the appearance of the humane and statesmanlike resolution seemed to these people that the god Mahadev had really deigned to hear their prayer at last. In their pleasing bewilderment they asked themselves if they were not dreaming, and naturally awaited the faithful carrying out of the new resolution in actual work. Hitherto, as you all know, the forest officer pulled one way and the district officer another. The governing principle, you gladly notice, which runs throughout the resolution, is that considerations of revenue are to be subordinated to those of contentment and peace among the forest tribes, especially in small matters, and in deference to ancient customs, and that the claims of cultivation are stronger than the claims of forest preservation. We may

similarly hope that a like humane resolution will take under its wing the land revenue policy of the Bombay Government. (*Hear, hear.*) I would now pass on to what fell from Mr. Chambers on the hard bargains of the money-lender with the ryots, and would attribute Mr. Chambers' somewhat exaggerated account of the character of the money-lender to his want of familiarity with mofussil life, and the part that the Marwari or Bania sowkar played in rural social economy. He seemed to generalise from what he saw of the Marwari's relations with the mill-hands in Bombay. Otherwise, Mr. Chambers, I feel sure, would find that, under the present condition of things, the ryot could hardly dispense with the sowkar. In saying this, I do not for one moment defend the action of the money-lender. Indeed my own sympathy is the other way. All I wish to point out is that, if they drove the Marwari out of the village, the villagers would be at their wits' ends to know how to manage their affairs. And how would Government, I ask, receive its instalments of revenue, which they do at present with the punctuality and regularity of clock-work even under the rigid rules in force? We all know that Government offer to lend money at low rates, and yet the ryot prefers the sowkar to Government for accommodation in spite of his hard bargains. And why? Because they find the sowkar more accommodating than the Government. The highest authorities are agreed on this point. With regard to the subject of the attitude of the Vernacular press towards Government, which by some is thought hostile, I am not prepared to deny that the Vernacular press made at times hard hits on Government measures—perhaps harder than the occasion demanded—but, in judging of them, I think every allowance should be made for the excited times in which we live. On the whole, I am prepared to say that the tone of the Vernacular press in this Presidency generally is sober, loyal, and moderate. In this opinion I do not stand alone. I am glad to be confirmed in this view by the testimony of no less a critic than the *Bombay Gazette*. A three months' study of the Vernacular press in this Presidency enabled the writer in that paper to "confess, and confess with pleasure, that a closer study of the native papers than was previously habitual to us on the whole raised our opinion of the ability and judgment with which many of them are conducted." (*Cheers.*) I feel sure that, if the critic had a longer experience of the Vernacular press, he would have paid a still higher compliment. At the same time I take this opportunity of counselling my friends who write for the press to appreciate better than they do the difficulties of their rulers while commenting on their action or their conduct. My own opinion is that nothing is lost by a case stated moderately and temperately. It stands a fair chance of receiving attention from the authorities. (*Hear, hear.*) We should remember how we ourselves would have acted if placed in the position of our rulers. (*Hear, hear.*) Again, we should never omit to give honour and credit where honour and credit are due. In this connection nothing gratifies me more than the fact that in one of the resolutions—that on education—the Conference has acknowledged its sense of gratefulness to Lord Harris for the steady support and encouragement His Excellency has all along given to the extension of primary education throughout the Presidency, even at a time of financial pressure. (*Cheers.*) I am in a position to say this from my study of the last financial Budget for this Presidency. On this account I feel that Lord Harris is entitled to our heartfelt thanks. (*Cheers.*) In conclusion, I hope that, if the deliberations of the two Conferences just held have tended in some way to bring about a better understanding and greater harmony of feeling among the two great sections of the people, the Bombay Provincial Conference and the Ahmedabad Conference have not met in vain. (*Cheers and applause.*)

The Conference was then dissolved.

LIST OF DELEGATES

AT THE

SEVENTH PROVINCIAL CONFERENCE,

HELD AT BOMBAY,

ON THE 2nd, 3rd and 4th NOVEMBER 1894.

No.	Names in full of Delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
1	Dr. Atmaram Pandurang, J. P., Fellow of the Bombay University.	Hindoo ...	Medical Practitioner, Bombay.	At a meeting of the Bombay Presidency Association.
2	Dr. Ardashir Dadabhoy Mody, J. P., and a member of the Bombay Municipal Corporation.	Parsi ...	Do. ...	Do.
3	A. M. Dinbandoo, Esq.	Hindoo ...	Do. ...	Do.
4	Dr. A. G. Viegas, L. M. & S., Fellow of the Bombay University and a member of the Bombay Municipal Corporation.	Portuguese.	Do. ...	Do.
5	Anant Mangesh Bidikar, Esq. ...	Hindoo ...	Pleader, Belgaum ...	Do.
6	Ameerudin Tyebjee, Esq., J. P. ...	Mahomedan.	Merchant, Bombay ...	Do.
7	Abdoola Mehrali Dharamsey, Esq., B.A., J.P., President of the Bombay Municipal Corporation, Honorary Secretary, Bombay Presidency Association.	,, ...	Solicitor, High Court, Bombay.	Do.
8	Byramjee D. Tarapurwalla, Esq. ...	Parsi ...	Merchant, Bombay ...	Do.
9	Byramjee Dadabhoy Banajee, Esq. ...	,, ...	Do. ...	Do.
10	Babaji Gopal, Esq.	Hindoo ...	Civil Engineer, Bombay ...	Do.
11	Badrudin Abdulla Kur, Esq., J. P., a member of the Bombay Municipal Corporation.	Mahomedan.	Merchant, Bombay ...	Do.
12	Balajee Pandurang, Esq., J. P. ...	Hindoo ...	Govt. Pensioner, Bombay...	Do.
13	Bhaishanker Nanabhoy, Esq., member of the Bom. Municipal Corporation.	,, ...	Solicitor, High Court, Bombay.	Do.
14	Dr. Bhalchandra Krishna, J. P., Fellow of the Bombay University and a member of the Bombay Municipal Corporation	,, ...	Medical Practitioner, Bombay.	Do.
15	B. N. Bhajekar, Esq., B. A., LL. B.	,, ...	Pleader, High Court ...	Do.
16	B. S. Shroff, Esq., L. M. & S., J. P.	Parsi ...	Medical Practitioner, Bombay.	Do.
17	The Hon'ble Chimanlal H. Setalvad, B.A., LL. B., member of the Legislative Council of the Governor of Bombay, a member of the Bombay Municipal Corporation.	Hindoo ...	Pleader, High Court, Bombay.	Do.
18	Choonilal Lallubhoy Parekh, Esq. ...	,, ...	Assistant, Messrs. Lukmidas Khimji & Co.	Do.
19	W. A. Chambers, Esq.	European ...	Civil Engineer	Do.
20	Chimnaji Narayen Bhate, Esq. ...	Hindoo ...	Landlord & Pleader, Malad.	Do.
21	C. Shanker Ling Nadur, Esq. ...	,, ...	Banker	Do.
22	Curimbhoy Ebrahim, Esq., J. P. ...	Mahomeden.	Merchant	Do.
23	Dalpatram Pranjivan Khakar, Esq....	Hindoo ...	Government Pensioner ...	Do.
24	Dharamsey Morarji Goculdas, Esq....	,, ...	Merchant and Millowner ...	Do.
25	Dinsha Edalji Wacha, Esq., J. P., member of the Bombay Municipal Corporation, Honorary Secretary, Bombay Presidency Association.	Parsi ...	Mill Agent	Do.
26	Damodar Gopalbhai Becherdass, Esq., a member, Mahim Municipality.	Hindoo ...	Land-owner	Do.
27	Dhondoo Moroba Sanjgiri, Esq., B. A., LL. B.	,, ...	Pleader, High Court ...	Do.
28	Dinshaw Jijibhoy, Esq., B. A., LL. B.	Parsi ...	Solicitor, High Court ...	Do.
29	Damodhar Goculdas, Esq., J. P. ...	Hindoo ...	Merchant	Do.
30	Damodardas Tapidas, Esq., J. P. ...	,, ...	Do.	Do.

No.	Names in full of Delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
31	Damodhar Lukmidas Khimji, Esq. ...	Hindoo ...	Merchant	At a meeting of the Bombay Presidency Association.
32	Dharamsey Morarji Goculdas, Esq. ...	„ ...	Millowner	Do.
33	Dharamsey Soonderdas Moolji, Esq...	„ ...	.....	Do.
34	Daji Abaji Khare, Esq., B.A., LL. B., J. P., Fellow, Bombay University.	„ ...	Pleader, High Court ...	Do.
35	Dwarkadass Dharamsey, Esq. ...	„ ...	.....	Do.
36	Damodar Gocaldas, Esq., J. P. ...	„ ...	Secretary, Native Piece Goods Association.	Do.
37	Rao Saheb Ellapa Balaram, J. P. ...	„ ...	Contractor...	Do.
38	Fakirchand Premchand, Esq. ...	„ ...	.....	Do.
39	Fatehalli Shaik Ahmed, Esq., J. P...	Mahomedan.	Merchant	Do.
40	Fazulbhoy Jumabhoy Lalji, Esq. ...	„ ...	Do.	Do.
41	Goculdass Gordhandas, Esq. ...	Hindoo ...	Do.	Do.
42	David Gostling, Esq., J. P. ...	European ..	Civil Engineer and Architect	Do.
43	Govind Dasrath, Esq.	Hindoo ...	Merchant	Do.
44	G. S. Gokhale, Esq.	„ ...	Civil Engineer	Do.
45	Gordhandass Goculdass Tejpal, Esq., J. P.	„ ...	Merchant	Do.
46	Ghansham Nilkanth Nadkarni, Esq., B. A., LL. B.	„ ...	Pleader, High Court ...	Do.
47	G. K. Gokhale, Esq., B. A.... ...	„ ...	Professor, Fergusson College, Poona.	Do.
48	Govind Hari Deo, Esq.	„ ...	Landholder, Pen	Do.
49	G. S. Muccadum, Esq.	„ ...	Do. Umbergam ...	Do.
50	Govind Narayen Deodhkar, Esq. ...	„ ...	Do. do. ...	Do.
51	Gopal Trimback, Esq.	„ ...	Do. do. ...	Do.
52	Goculdass Khandass, Esq., B. A., LL. B.	„ ...	Pleader, High Court ...	Do.
53	Goverdhandass Khatao Makunji, Esq., J. P.	„ ...	Merchant	Do.
54	Govind Balal Kher, Esq., L. M. & S.	„ ...	Medical Practitioner ...	Do.
55	Harichand Sadashivji, Esq., J. P., M.I.C.E, Fellow of Bom. University.	„ ...	Civil Engineer	Do.
56	H. S. Dixit, Esq., B.A., LL. B. ...	„ ...	Solicitor, High Court ...	Do.
57	Hari Vishnu Lele, Esq., L. C. E. ...	„ ...	Civil Engineer	Do.
58	Haji Goolam Hossain Haji Surfudin.	Mahomedan.	Bhiwandi	Do.
59	Hari Mahadeo Pranjipay, Esq. ...	Hindoo ...	Journalist...	Do.
60	Jaya Karadi Lingu, Esq.	„ ...	Contractor	Do.
61	Jaithabhai Valjee, Esq.	„ ...	Merchant	Do.
62	Jamsetjee Ardashir Wadia, Esq. ...	Parsi ...	Mill Agent	Do.
63	Juggonath G. Sanjigiri, Esq. ...	Hindoo ...	Merchant	Do.
64	Joseph Benjamin Bamulkar, Esq. ...	Jew ...	Medical Practitioner, Ahmedabad.	Do.
65	Jayaram Bhaoorao Deshmukh, Esq....	Hindoo ...	Sarelgam	Do.
66	Dr. John D'Cunha, L. M. & S., J. P.	Portuguese...	Medical Practitioner ...	Do.
67	Jehangir R. K. Kama, Esq., B. A. ...	Parsi ...	Barrister-at-Law	Do.
68	Jagmohandas Vandravandass, Esq., J. P.	Hindoo ...	Merchant	Do.
69	The Honorable Javerilal U. Yajnik, J. P., Member of the Legislative Council of the Government of Bombay and a member of the Bombay Municipal Corporation.	„ ...	.....	Do.
70	Jamsetjee Nusserwanji Tata, Esq.,J.P.	Parsi ...	Merchant	Do.
71	Karimbhoy Nensey, Esq.	Mahomedan.	Do.	Do.
72	Karsondass Chabildass, Esq., a member of the Bombay Municipal Corporation.	Hindoo ...	Barrister-at-Law	Do.
73	Kumar Samantsingji, Prince of Palitana.	„ ...	.....	Do.
74	Khersetjee N. Wadia, Esq., member of the Bombay Municipal Corporation.	Parsi ...	.....	Do.
75	Dr. K. N. Bahadurjee, a member of the Bombay Municipal Corporation, and a Fellow of Bombay University.	„ ...	Medical Practitioner ...	Do.
76	Karsandass Vallabdass, Esq., J. P. ...	Hindoo ...	Merchant	Do.
77	Luckmidass Khimji, Esq., J. P. ...	„ ...	Do.	Do.
78	Lallji Ramji, Esq.	„ ...	Do.	Do.
79	Lalbhoy Dalpatbhoy, Esq.	„ ...	Do.	Do.
80	Manubhai K. Mehta,Esq.,B.A.,L.L.B.	„ ...	Pleader, High Court ...	Do.
81	Motilal M. Munshi, Esq.,B.A., LL. B.	„ ...	Do. ...	Do.

No.	Names in full of Delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
82	M. V. Bhat, Esq., B. A., LL. B. ...	Hindoo ...	Pleader, High Court ...	At a meeting of the Bombay Presidency Association.
83	Mulraj Khatao Mukanji, Esq. ...	,, ...	Merchant	Do.
84	Dr. M. G. Deshmukh, M. D., B. Sc., J. P., a member of the Bombay Municipal Corporation, Fellow, Bombay University.	,, ...	Medical Practitioner ...	Do.
85	Muthuradass Goculdass, Esq. ...	,, ...	Merchant	Do.
86	Mulji Bhawanidas Barbhaya, Esq., J. P., a member of the Bombay Municipal Corporation.	,, ...	Solicitor, High Court ...	Do.
87	Manekji Kawasji Patel, Esq. ...	Parsi ...	Assistant Teacher, Fort High School	Do.
88	Manmohandas D. Shroff, Esq. ...	Hindoo ...	Merchant	Do.
89	Maneksha J. Talyarkhan, Esq., B. A., LL. B., J. P., member of the Bombay Municipal Corporation, Fellow, Bombay University.	Parsi ...	Pleader, High Court ...	Do.
90	N. R. Ranina, Esq., J. P. ...	Parsi ...	Auditor	Do.
91	N. G. Velinkar, Esq., M. A., LL. B.	Hindoo ...	Professor, Wilson College...	Do.
92	Dr. N. N. Katrak, J. P., member of the Bombay Municipal Corporation.	Parsi ...	Medical Practitioner ...	Do.
93	Nagindas Laldass, Esq.	Hindoo ...	Merchant	Do.
94	N. V. Gokhale, Esq., B.A., LL. B., Fellow of the Bombay University.	,, ...	Pleader, High Court ...	Do.
95	Narayan Padurang Indulkar, Esq. ...	,, ...	Landlord, Umbergam ...	Do.
96	Narsingrao Syaboo, Esq.	,, ...	Contractor	Do.
97	Nazer Mahomed Fattehally, Esq. ...	Mahomedan.	Merchant	Do.
98	Nusserwanjee J. H. Readymoney, Esq.	Parsi ...	.....	Do.
99	Noormahomed Jairazbhoy Peerbhoy, Esq.	Mahomedan.	Merchant...	Do.
100	P. P. Khare, Esq., B. A., LL. B. ...	Hindoo ...	Pleader, High Court ...	Do.
101	Pranlal Kahandass Joshipara, Esq., L. C. E.	,, ...	Civil Engineer	Do.
102	Pestonjee Byramjee Dantra, Esq. ...	Parsi ...	.....	Do.
103	The Hon'ble Pherozshaw Merwanji Mehta, M. A., C. I. E., J. P., member of the Legislative Council of the Governor-General of India, and of the Governor of Bombay, member of the Bombay Municipal Corporation, President, Bombay Presidency Association, Fellow of the Bombay University.	,, ...	Barrister-at-Law	Do.
104	Premchand Roychand, Esq., J. P. ...	Hindoo ...	Merchant	Do.
105	Ramji Luxmon Gharat, Esq. ...	,, ...	School Master	Do.
106	Ratiram Durgaram Dave, Esq., B. A., Fellow, Bombay University.	,, ...	.....	Do.
107	Ranchordass Vallabhai, Esq. ...	,, ...	.....	Do.
108	Ramchandra Hemraj, Esq.	,, ...	.....	Do.
109	R. W. Balajee, Esq.	,, ...	.....	Do.
110	The Hon'ble Rahimtoola Mohamed Sayani, B.A., LL. B., J. P., member of the Legislative Council of the Government of Bombay, a member of the Bombay Municipal Corporation, Fellow, Bombay University.	Mahomedan.	Solicitor, High Court ...	Do.
111	Ravji V. G. Shunkersett, Esq. ...	Hindoo ...	Landlord	Do.
112	Ramkrishna Narayen Parmanand, Esq., L. M. & S.	,, ...	Medical Practitioner ...	Do.
113	Ragoonath Bhicaji Gogle, Esq. ...	,, ...	Pleader, Nasik	Do.
114	Rustom K. R. Cama, Esq., B.A., LL. B., Fellow, Bom. University.	Parsi ...	Solicitor, High Court ...	Do.
115	R. S. Chitguppi, Esq.	Hindoo ...	Barrister-at-law	Do.
116	Ramchandra Gunesh Barve, Esq. ...	,, ...	Sir Deshmookh Landlord...	Do.
117	Sale Mahomed Ebrahim, Esq. ...	Mahomedan.	Merchant	Do.
118	S. G. Velinkar, Esq., B. A., LL. B....	Hindoo ...	Pleader, High Court ...	Do.
119	S. S. Setlar, Esq., B. A., B. L. ...	,, ...	Barrister-at-Law ...	Do.
120	Sorabjee Cawasjee Khumbatta, Esq....	Parsi ...	.....	Do.
121	Sadanand T. Bhandare	Hindoo ...	Salesman, Messrs. Wallace & Co.	Do.

No.	Names in full of Delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
122	S. W. Kane, Esq., L. M. & S., J. P.	Hindoo ...	Medical Practitioner ...	At a meeting of the Bombay Presidency Association.
123	S. M. Rele, Esq.	„ ...	Pleader, High Court ...	Do.
124	Sorabjee Edaljee Warden, J. P., Esq..	Parsi ...	Merchant	Do.
125	Tribhowandas M. Nathoobhoy, Esq., J. P.	Hindoo ...	Do.	Do.
126	Tribhowandas N. Malvi, Esq., M.A., LL. B.	„ ...	Solicitor, High Court ...	Do.
127	Vishnu Narayen Bathkhande, Esq., B.A., LL. B.	„ ...	Pleader, High Court ...	Do.
128	Vassonjee Kimjee, *Esq.*	„ ...	Merchant	Do.
129	Vishnu K. Bhatawadekar, Esq., B.A., LL. B.	„ ...	Pleader, High Court ...	Do.
130	Rao Bahadoor Vinayek N. Bhagwat, J. P.	„ ...	Government Pensioner ...	Do.
131	Vinayak S. Dharkur, Esq.	„ ...	Pen ...	Do.
132	The Hon'ble Vishnu Ragoonath Natoo, B.A., LL.B., member for Southern Division in the Legislative Council of the Governor of Bombay.	„ ...	Pleader, High Court, Belgam	Do.
133	Vinayak Bicajee Pimpalkar, Esq. ...	„ ...	Landlord, Umbergam ...	Do.
134	Vithal Mahadeo Damankar, Esq. ...	„ ...	Pleader	Do.
135	Vijbucandas Atmaram, Esq., J. P. ...	„ ...	Merchant	Do.
136	Vandravandass Purshotamdass, Esq., J. P.	„ ...	Do.	Do.
137	Vasoodev G. Bhundarker, B. A., LL. B., J. P.	„ ...	Pleader, High Court ...	Do.
138	Verchand Dipchand, Esq., J. P. ...	„ ...	Merchant ...	Do.
139	Jamietram Nanabhai Haridass, Esq., B. A., LL.B., Fellow, Bombay University.	„ ...	Advocate, High Court, Bombay.	At a meeting of the Standing Congress Committee, Surat.
140	The Hon'ble Chimanlal H. Setalvad, member of the Legislative Council of the Governor of Bombay, Fellow of the Bombay University and a member of Municipal Corporation.	„ ...	Pleader, High Court ...	Do.
141	Jamietram Jivanram, Esq. B.A., LL.B.	„ ...	.....	Do.
142	Prof. T. K. Gajjar, M. A., B. Sc., Fellow, Bombay University.	„ ...	Principal, Kala Bhavan, Baroda.	Do.
143	M. H. Nazar, Esq.	„ ...	Merchant	Do.
144	Ratiram Durgaram Dave, Esq., B. A., Fellow, Bombay University.	„ ...	.....	Do.
145	Icharam Surayaram, Esq.	„ ...	Journalist...	Do.
146	Markand Nandshanker, Esq., B. A., LL. B.	„ ...	Pleader, High Court ...	Do.
147	Krishnalal Mohanlal Zaveri, Esq., M.A., LL. B.	„ ...	Do. ...	Do.
148	Thakurbhai Chunilal Chulka, Esq. ...	„ ...	Merchant	Do.
149	Rao Bahadur Vishnu Moreshvar Bhide, Esq.	„ ...	Pensioned First Class Sub-Judge, Chairman Sarvajanik Sabha, Poona, Hon. Magistrate.	At a meeting of the Sarvajanik Sabha, Poona.
150	R. B. Nilkanth, Esq.	„ ...	Ex. Divan Divas	Do.
151	Shri Vasudew Harikur *alias* Baba Mahez, Esq.	„ ...	Jagirdar, Kolapur State, First class Sirdar and Vice President, Poona Sarvajanik Sabha.	Do.
152	Vishnu Hari Karandikar, Esq. ...	„ ...	Assistant Secretary Sarvajanik Sabha, Poona.	Do.
153	Vishnu Narayen Apte, Esq. ...	„ ...	Secretary, Poona Mercantile Bank.	Do.
154	Luxmon Raghoonath Gokle, Esq. ...	„ ...	Pleader	Do.
155	Gopal Krishna Gokale, Esq., B. A., Professor, Fergusson College, Poona, Hon. Secy. and Editor, Quarterly Journal, Poona Sarvajanik Sabha...	„ ...	.....	Do.
156	Motilal Dalpatram Desai, Esq. ...	„ ...	Solicitor, High Court ...	At a meeting of Broach Ratepayers' Association.
157	The Hon. Chimanlal H. Setalwad ...	„ ...	Pleader, High Court ...	Do.
158	Krishnalal M. Javeri, Esq. M.A., LL.B.	„ ...	Do. ...	Do.
159	Amba Shankar Utmaram, Esq. ...	„ ...	Landholder ...	Do.
160	Dwarkadass B. Naigamkar, Esq. ...	„ ...	Vatandar ...	Do.

No.	Names in full of Delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
161	Prabhudass Nagurdass, Esq.... ...	Hindoo ...	Merchant	At a meeting of Broach Rate-payers' Association.
162	Anupram Mitharam Dinbandoo, Esq...	„ ...	Do.	Do.
163	Syed Hossain Miya Najmudin, Esq. ...	Mahomedan.	Jagirdar	Do.
164	Mohanlal Maneklal Vakil, Esq. ...	Hindoo ...	Pleader	Do.
165	Amba Shanker Hariprasad, Esq. ...	„ ...	Do.	Do.
166	Seth Chunilal Lalubhai, Esq. ...	„ ...	Banker	Do.
167	Bapubhai Mazumdar, Esq.	„ ...	Barrister-at-Law	At a meeting of the Guzerat Sabha, Ahmedabad.
168	Moolchand Asharam,Esq.,B.A.,L L.B.	„ ...	Pleader	Do.
169	Manishanker Gowrishanker Bhat,Esq., B.A., LL. B.	„ ...	Do.	Do.
170	Manilal Bhagubhai Zaveri, Esq., B.A., LL. B.	„ ...	Do.	Do.
171	Dr. G. Benjamin	Jew ...	Medical Practitioner ...	Do.
172	Jata Shanker Liladar Vaidya, Esq. ...	Hindoo ...	...	Do.
173	M. V. Athlai, Esq., B. A.	„ ...	Landholder Inamdar ...	Ratnagiri.
174	R. K. Rajwade, Esq., Municipal Commissioner.	„ ...	Landholder	Do.
175	Juggonath Keshev Kulkarni, Esq. ...	„ ...	Government Pleader, Landholder.	Do.
176	Vishnu Hari Barve, Esq., Member, Taluka Local Board.	„ ...	Landholder	Do.
177	Harichand Nemchand, Esq.	„ ...	Merchant	At a meeting of the Sholapore People's Association.
178	Dinker Balal, Esq.	„ ...	Pleader	Do.
179	Rowji Nemchand, Esq.	„ ...	Merchant	Do.
180	Rajaram Yeshwant Rege, Esq. ...	„ ...	Pleader	At a meeting of the Sarvajanik Sabbha, Nasik.
181	Vasudev B. Akoot, Esq.	„ ...	Do.	Do.
182	Gangadar Narsinla Kirtikar, Esq., Member, District Local Board.	„ ...	Do.	Do.
183	Ragoonath Bicajee Gogati, Esq., B.A., LL. B.	„ ...	Pleader, High Court ...	Do.
184	Narayen Vinayak Gole, Esq. ...	„ ...	Do.	Do.
185	Vithal Mahadeo Damanker, Esq. ...	„ ...	Do.	At a meeting of the Avas Association of the Alibag Taluka of the Colaba District.
186	Nagardas Roopji Seth, Esq.	„ ...	Merchant	Do.
187	Ganesh Hari Devuskir, Esq. ...	„ ...	Landholder	Nagam Association.
188	Keshaw Pandurang Vasaiker, Esq. ...	„ ...	Do.	Do.
189	Pandurang Rowji Railkir, Esq. ...	„ ...	Do.	Do.
190	Booram Valad Malgamri, Esq. ...	„ ...	Merchant	Do.
191	Narayen Krishna Gharat, Esq. ...	„ ...	Landlord	Avas Association.
192	Ramchandra Raghoonath Anturker, Esq.	„ ...	Do.	Do.
193	Tookaram Dharmajee Mokal, Esq. ...	„ ...	Farmer	Do.
194	Bhudajee Nathoo Mokal, Esq. ...	„ ...	Do.	Do.
195	Vittoba Govind Patel	„ ...	Landlord	Do.
196	Babajee Gopal, Esq....	„ ...	Civil Engineer	Do.
197	Ramji Luxmon Gharat, Esq. ...	„ ...	School Master	Do.
198	Surajram Mancharam Desai, Esq. ...	„ ...	Merchant	Ankleshvar.
199	Nathubhai Jugjivan	„ ...	Do.	Do.
200	Chunilal Javerchand, Esq.	„ ...	Banker	Do.
201	G. B. Phansalkar, Esq.	„ ...	Pleader	Satara.
202	G. V. Ranade, Esq....	„ ...	Do.	Do.
203	Dossabhoy Manekjee, Esq.	Parsi ...	.....	Do.
204	Mangesh Jivaji Telang, Esq. ...	Hindoo ...	... .	At a meeting of the Belgaum District Association.
205	The Hon'ble V. R. Nathu, B.A., LL.B., Member of the Legislative Council of the Governor of Bombay.	„ ...	Pleader, High Court ...	Do.

REPORT

OF THE

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HELD AT

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On 14th & 15th September

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Eleventh Provincial Conference Bombay.

Held in the Hall of the Framji Cawasji Institute.

on 14th and 15th September 1901.

RESOLUTIONS.

Resolution I.

That this Resolution expresses its sense of deep sorrow occasioned by the death of Her Majesty the Queen Empress, who throughout her long and beneficent reign, had evinced the greatest sympathy in the welfare and well-being of her subjects.

Resolution II.

This this Conference places on record the sense of irreparable loss, which India in general, and the Bombay Presidency in particular, has sustained by the lamented death of Mr. Justice Ranade whose life was zealously devoted to the service of his country in all the varied fields of progress with matchless zeal and singleness of purpose.

Resolution III.

(*a*) That this Conference desires to place on record its profound regret that an enactment of so important a character as the Land Revenue Code Amendment Bill, involving a change in the tenure of land in the Presidency, should have been passed with extreme precipitation through the local Legislative Council in spite of earnest and emphatic protests from all parts of the Presidency, and notwithstanding the fact that the reason, given at the first reading of the Bill for haste, had ceased to exist in consequence of the publication of Government Resolution, dated 11th Aug. 1901; and this Conference is strongly of opinion that Legislation of this character should not have been undertaken without a careful preliminary inquiry into the condition of the agricultural population of the Presidency.

(*b*) That the Conference is clearly of opinion that the Bill, so far from bringing any relief or rendering any assistance to agriculturists is likely to do them great injury by making the collection of land revenue even more stringent than it is at present, and by hastening

the expropriation of those who are heavily indebted to *sowkars*; and that the only party likely to benefit by the Bill is the Government whose revenue will now be collected with increased rigour, who, in those cases which will come under the new law, will acquire absolute ownership, for a year's assessment or so of lands worth several times the assessment, and who will in course of time be enabled to claim for the State absolute ownership of land.

(*c*) That even if Government thought it advisable to try the experiment of restricting the right of transfers in certain cases, absolutely no case was made out by Government, for taking away from lands to which the survey settlement has been extended, the perpetuity tenure which under the Land Revenue Code of 1879 is an inseparable incident of such lands and this Conference views with grave concern the wide discretionary powers which the Bill confers upon the Executive Government in the matter of determining the character of the tenure, the period of leases and the amount of assessment in the case of lands which will come under the new law.

(*d*) That this Conference respectfully invites the attention of His Excellency the Viceroy to these features of the Bill and also to the grave unwisdom of passing an agrarian measure of this character immediately after the Presidency had been ravaged by the most severe famine that ever visited it and with the alarming prospect of another scarcity or famine impending over the land, and it earnestly prays that His Excellency will be pleased to withhold his assent to the Bill.

Resolution IV.

That this Conference places on record their grateful acknowledgment of those members of the Legislative Council who endeavoured to obtain time in order to ensure a patient and careful consideration of the Bill and record their cordial approval of the action of those who entered their protest against the precipitate action of Government in passing the Bill by withdrawing from any further participation in the discussion of the Bill.

Resolution V.

This Conference notes with satisfaction that the Famine Commission, presided over by Sir Antony MacDonnell, has endorsed the objections urged by leading exponents of public opinion in the Presidency, against the famine policy of the Bombay Government in the matter of suspensions and remissions of Land Revenue and the concentration of famine labour on large Relief Works, relief to aboriginal tribes; and the Conference earnestly trusts that, in all future campaign, against famine in the Presidency, suspensions and remissions of the State demand will be liberally granted and promptly announced without inquiring into the capacity of individuals to pay; and that village works will, as far as possible, be preferred to large relief camps, and co-operation of the non-official agency enlisted in all possible ways in administering relief to the famine-stricken

people, that they adopt the scheme proposed by the Famine Commission in giving relief to aboriginal tribes in times of famine.

Resolution VI.

This Conference regrets that Government have not yet seen fit to place before the public the results and proceedings of the inquiry which Mr. H. Maconochie was appointed by Government to institute.

Resolution VII.

That in the opinion of this Conference the time has arrived when a further step should be taken in the matter of Financial Decentralization by leaving the responsibility of the Financial Administration of the different provinces principally to the Local Governments, the Supreme Government receiving from each Local Government only a fixed portion of its revenues, levied in accordance with some definite equitable principle, which should not be liable to any disturbance, except in the cases contemplated in Lord Ripon's Resolution on the subject, so as to secure to Local Governments that fiscal certainty and that advantage arising from the normal expansion of the revenues, which are so essential to all real progress in the development of the resources and in the satisfactory administration of the different provinces.

Resolution VIII.

That this Conference, while gratefully recognizing that the new District Municipal Act is free from many of the more objectionable provisions contained in the Bill as introduced in 1899, and that the administrative sections are a great improvement over the old law, desires to record its regret that the new Act does not make express statutory provision for extending the scope of the elective franchise, at least in the case of City Municipalities, that it introduces for the first time considerations of class and creed in the distribution of seats thrown open to election, and that it adds to the list of the obligatory duties of Municipal bodies, when the resources of these bodies were inadequate for the efficient discharge of their obligatory duties even under the old law.

That in the opinion of this Conference it is wholly unjust to require Municipalities to spend money in famine relief, as such relief is a duty resting on the Imperial Government who have imposed special taxation for the purpose, and that as regards plague, the cost of dealing with it in the manner prescribed by Government is so great that it is beyond the capacity of any Municipality to bear more than a fraction of it; that Municipal bodies have been already brought to the verge of bankruptcy, wherever the plague has raged, and that the Conference, therefore, prays that Government will be pleased to relieve these bodies of the whole or at any rate the greater portion of the plague expenditure.

Resolution IX.

That in the opinion of this Conference the time has arrived for the repeal of Act V of 1868, which empowers the Bombay Government to delegate

its powers as "Local Government" to the Commissioner in Sind, and for placing the Province of Sind in this regard on the same footing as the other divisions of the Presidency.

Resolution X.

That this Conference is of opinion that serious injustice is involved to the Province of Sind on the separation of its Provincial Service, executive and judicial, from that of the Presidency, and it suggests that the services be amalgamated.

Resolution XI.

That this Conference is strong of opinion that in order to secure a better and more efficient judicial administration for the Province of Sind, it is necessary to raise the status and improve the constitution of the Sadar Court by turning it into a division of the Bombay High Court, sitting in Sind, and it respectfully urges that Government will be pleased to carry out the reform.

Resolution XII.

That in the opinion of this Conference the period for revising the settlements of Land Revenue in the Province of Sind should be thirty years, as prevailing in the rest of Presidency, instead of ten years as at present.

Resolution XIII.

That this Conference is of opinion that, in view of the hardship and misery experienced by the inhabitants of towns and cities in this Presidency, including the City of Bombay on account of over-population and the spread of infectious and other diseases, it is highly necessary that Government should, as far as possible, remove the heavy restrictions on the erection of dwelling places on sites hitherto appropriated to agricultural purposes.

Resolution XIV.

That the Provincial Conference for 1902, shall assemble at such place as may be hereafter notified.

Resolution XV.

That the best thanks of the Conference be tendered to the Reception Committee and the Honorary Secretaries.

Resolution XVI.

That this Conference tenders its most cordial thanks to its President Mr. Tahilram Khemchand C. I. E., for his able conduct in the chair.

TAHILRAM KHEMCHUND,

President.

*It is not the man who sits by his fireside reading his evening paper, and saying how bad our politics and politicians are, who will ever do anything to save us; it is the man who goes out into the rough hurly-burly of the political meeting, and there faces his fellows on equal terms. The real service is rendered, not by the critic who stands aloof from the contest, but by the man who enters into it and bears his part as a man should, undettered by the blood and the sweat. It is pleasant to associate merely with cultivated, refined men of high ideals and sincere purpose to do right, and to think that one has done all one's duty by discussing politics with such associates. It is a good thing to meet men of this stamp; indeed, it is a necessary thing, for we thereby brighten our ideals, and keep in touch with the people who are unselfish in their purposes; but the actual battle must be fought out on other and less pleasant fields. The actual advance must be made in the field of practical politics among the men who represent or guide or control the mass, * * * * * who sometimes have lower ideals than they should, but who are capable, masterful, and efficient. It is only by mingling on equal terms with such men, by showing them that one is able to give and to receive heavy punishment without flinching, and that one can master the details of political management as well as they can, that it is possible for a man to establish a standing that will be useful to him in fighting for a great reform. Every man who wishes well to his country is in honour bound to take an active part in the political life. If he does his duty, and takes that active part, he will be sure occasionally to commit mistakes and to be guilty of shortcomings. For these mistakes and shortcomings he will receive the unmeasured denunciation of the critics who commit neither, because they never do anything but criticise. Nevertheless, he will have the satisfaction of knowing that the salvation of the country ultimately lies, not in the hands of his critics, but in the hands of those who, however imperfectly, actually do the work of the nation. I would not for one moment be understood as objecting to criticism or failing to appreciate its importance. We need fearless criticism of our public men and public parties; we need unsparing condemnation of all persons and all principles that count for evil in our public life; but it behoves every man to remember that the work of the critic, important though it is, is of altogether secondary importance, and that, in the end, progress is accomplished by the man who does the things, and not by the man who talks about how they ought or ought not to be done.*

(THEODORE ROOSEVELT, President, United States.)

Eleventh Provincial Conference.

The Eleventh Bombay Provincial Conference was held in the Framji Cowasji Hall, Bombay, on Saturday and Sunday the 14th and 15th September 1901.

Chairman Reception Committee.

BROTHER DELEGATES, LADIES AND GENTLEMEN :—On behalf of the Receiption Committee of the Eleventh Provincial Conference, it affords me great pleasure to welcome you all, Brother Delegates, who have, no doubt, at some personal sacrifice and inconvenience, deemed it your duty to attend this Provincial gathering. Unfortunately, the conditions of public health in this city are still such as to make it difficult to provide proper and adequate arrangements for the fulfilment of our duties towards our Brethern from the Mofussil, and the Reception Committee is painfully aware of the many imperfections in its arrangements about your comfort and even convenience. But the Reception Committee is confident that, in spite of all these imperfections, which you, dear Brethren, will kindly look over with brotherly indulgence, you will accept our humble assurances that we, of Bombay, entertain towards you feelings of the greatest warmth and most cordiality, and welcome you, each and all, most sincerely, and beg to tender you our most hearty greetings. Brethren, our hearts are with you and so are all our wishes, and in this respect, at any rate, we yield to none, though our performances fall short, indeed very short, of our wishes, and we blush at them, especially when we compare them with the generous and large hospitality ungrudgingly and unstintedly accorded to Bombay by different cities and towns of the Presidency in which Provincial Conferences have been hitherto held. (Hear, hear). The hospitality is engraven on our hearts, and we entertain the most pleasant and the most grateful recollection of it, and we embrace the present opportunity to tender you our most grateful and most cordial thanks.

Gentlemen, the time for transacting the business of a Conference is naturally a limited one, as Delegates are all usually busy men and have to return to their respective homes to attend to their ordinary avocations, and hence economy of time is an approved object. It is therefore a rule, unwritten, but still binding, that the Chairman of the Reception Committee should not offer any lengthy observations. Again, in fairness to the eminent gentleman whom you are about to elect your President, I should not occupy your time so as to come between you and the interesting and excellent address which we shall have the gratification to listen to from him. But on an occasion like this, when one sees before him the galaxy of acknowledged leaders and exponents of public opinion in the Presidency, one cannot help making a few observations, as a short prelude, as it were, to the Presidential utterances. To all of us, gentlemen, it is a mater of the greatest gratification that we are to have the privilege, to have for our President of this Conference, a prominent citizen of the sister city of Karachi, a Brother, who, by his arduous and admirable public work, has achieved for himself the esteem and regard of his fellow-citizens and won the confidence of his fellow-countrymen, and also of the Government. Karachi, gentlemen, as you know, is certainly next in importance, in point of foreign trade, to Bombay; and it bespeaks well of the public enterprise and energy of her citizens that, within a generation, she has raised herself, from small beginnings, to its present position. Nature has richly endowed that city with her gifts and the geographical position of Karachi gives her certain facilities though not so unique as those of Bombay; she thus possesses great advantages and vast potentialities. But all such advantages are unavailing if there are not capable men to turn them to account, and it is a matter of congratulation that the citizens of Karachi have been for some time past awakened to the natural advantages of their position and are bringing their energy to utilise them to the best of their ability. It is but meet and proper

and in the fitness of things that Karachi should give to Bombay for its Povincial Conference one of its worthy citizens as the President of such Conference; and I have no dobut whatever, indeed, I am sanguine, that the eminent Karachi citizen, who has already won his laurels as Chairman of the Karachi Municipality, will acquit himself with success at this Conference ; and, as the aim and object of our Provincial Conferences is to bring all leading towns into a line for the advancement of our common interests, and forge stronger and stronger the links in the chain of Provincial Union, the presence of a Karachi citizen of fame in the Presidential chair will add further strength to that chain. Chairman Reception Committee.

I will now briefly refer to the most prominent topics to be discussed at this Conference. The first and foremost subject, and one which is naturally uppermost at present in the mind of every one here, is, of course, the recently passed Land Revenue Code Amendment Bill. The agricultural industry of this Presidency is passing through a grave crisis, and the recent legislation regarding it is one ultimately fraught with the most far reaching consequences to the agricultural prosperity of this Presidency. The ill-starred piece of agrarian legislation which has been recently passed into law has aroused passion and prejudice. Government contend the Bill does not interfere with the vested rights of the people in as much as lands forfeited for arrears of revenue are completely at the disposal of Government, and that Government could dispose of them in any way they like. This view of forfeiture under the Bombay Land Revenue Code is at variance with the judicial interpretation of the Code by the High Court of Bombay and the practice hitherto followed by Revenue authorities in the Presidency. The High Court has decided that under the said Code, the Collector, upon declaring the forfeiture, must sell or otherwise dispose of the holding under the provisions of Sections 56 and 57, and credit the proceeds, if any, to the defaulter's account, (see Section 153, and I. L. R. 22 Bombay, page 402), as his legal due, or on account of his "proprietary rights in the land." The amending Act attempts to enable the executive to completely subvert the existing suruey tenure, for Section 68 of the Code says "An occupant is entitled to the use and occupation of his land for the period, if any, to which his occupancy is limited, *or if the period is unlimited, or a survey settlement has been extended to the land, in perpetuity, conditionally on the payment of the amounts due* on account of the land revenue for the same, according to the provisions of this Act or of any rules made under this Act, or of any other law, for the time being in force, and on the fulfilment of any other terms lawfully annexed to his occupancy." It is contended by Government that the present agitation on the Bill is the agitation by, and on behalf of, the sowcars, and that the parties really interested have nothing to do with this agitation. Assuming, gentlemen, for one single moment, that that is so, even then I say that that is a very legitimate agitation, and I have only to quote in support of my proposition the Report of their own Famine Commission, which is just out, in which the Commission lays stress upon the fact that the sowcars are the people who ought to take the place of survey holders. In some parts of India we have the Permanent Settlement. This Presidency has the Survey Settlement, which is certainly an inferior Settlement to the Permanent Settlement. The people have been asking for the Permanent Settlement. The Government meanwhile have replied by taking away even this Survey Settlement. The result will be, in course of time, that the cultivators will simply become day labourers, with the State as the landlord. The peasantry, a

Chairman Reception Committee.

well contented prosperous peasantry, there will be nowhere. The main backbone of the Presidency will be broken and demolished, and the Presidency must remain a poor Presidency, poor so far as material prosperity is concerned, poor so far as its moral progress is concerned, and poor so far as its vitality is concerned, and the results of this treble poverty are bound to be disastrous to the Presidency.

The next important subject proposed to be discussed at this Conference is is the Expansion of the Legislative Councils. It has been admitted on all hands that the elected non-official members of the Legislative Councils have been rapidly progressing with regard to (1) acquisition of knowledge of subjects under discussion, (2) courage, and (3) independence. They can hold their own against the official members in their own language, in their own subjects, and in the arts of debate, discussion and eloquence. It is time, therefore, that the Legislative Councils should be expanded, that is to say, developed in the direction both of number and of power. The Government, as a Government, may devise means so as to see that the proper administration of the country is not in any way prejudiced, but there is no risk to the carrying out of the administration, as there are checks already supplied against introduction of measures, and no Bill can become law without the assent of the Head of the Government, and any Bill can be vetoed by the Secretary of State. The main object of the creation of such Councils is to obtain genuine native opinion, and the function of the non-official native members is to assist and advise the Government. That being so, when the non-official elected members are unanimous, or almost unanimous, in their opinion as to the real feelings of the people regarding the subject matter for legislation, it is the duty of Government to give due consideration to such opinion. These non-official members are not simply to be treated as opponents, anxious only to oust to Government and to take its place, as is the case in the House of Commons; but they ought to be treated as the advisers of Government, experts of genuine native public feeling, and representatives of the people. The recent debates were remarkable for the fact, amongst others, that Government had from the first finally made up its mind, and official members treated the non-official members as opponents, as if the only point aimed at was to carry the Bill. The proper procedure would have been that after Government had, in its executive capacity, devised a plan for the amelioration of the agriculturists it ought to have, in its legislative capacity, placed this plan before the people, and after the lapse of reasonable time ought to have placed it before the Legislative Council, and the voice of the people's accredited agents, the non-official elected members, ought to have been listened to with sympathy, and without regard to their numerical minority, for, whatever the actual number and proportion of such minority may be, they represent the people for whom legislation is to be made.

The next subject is that of Provincial Contracts. Provincial Contracts as at present carried out are simply a delusion. The object of starting these so-called contracts was a very useful one, namely, encouraging economy in the different administrations and utilizing the surplus towards developing the various provinces. The result, however, has been starving the provinces and appropriating the surpluses. The different administrations are bound down to the different items of the Budgets, and the most economical administration suffers the most. The only party that gains by the system is the Central Government, which

is thus enabled to spend savings as it likes. These Provincial Contracts have not realized the object with which they were started, and will never do so unless and until the Central Government is decentralised, and Provincial Governments have the entire control of the portion of income assigned to them, so that they may be able to contribute something towards the development and the progress of their provinces, with the advice of their respective Legislative Councils. (Applause). Chairman, Reception Committee.

The next subject before you will be the plague charges, which are obviously Imperial charges and ought not to be levied, even partially, on the local Governments and local administrations and on local municipalities, as has hitherto been the case, with the result that the local administrations are reduced to a state of insolvency.

In conclusion, I have no doubt that our deliberations, as usual, will be carried out in a calm spirit and with sobriety of reasoning. Our ultimate success depends on the truth of our cause.

With these few observations, I again welcome you, one and all, to this city of ours, and ask you to elect your President. (Applaus).

ELECTION OF PRESIDENT.

The Hon'ble Mr. Pherozeshaw M. Mehta, who was warmly received, said: Mr. Chairman and Gentlemen, I have much pleasure in proposing that our distinguished countryman, Mr. Tahilram Khemchund (Applause) be elected President of this Provincial Conference. Mr. Tahilram hails from far Karachi. It is quite true that Karachi is far; but there is in this country a freemasonic mark by which we have learned to distinguish all those who are bound together by the ties of common patriotism, common interests and common work (Applause). Mr. Tahilram's career is one by which many of our rising educated men may profit very largely. In the days when Karachi was farther by railway than it is now, gentlemen from Sind used to come down to Bombay for their education, and when I remember those days and the good effect which association with each other had on the people thus brought together, I almost regret—I do not say entirely—the establishment of the Sind College which has deprived us of the pleasures of association with young men from Sind. However, Mr. Tahilram was of the old school, and it was to *our* College that he came for his education. (Applause). Need I tell you that he distinguished himself in his college career? He took his B. A. in 1884 and his L L. B. in 1886. And here is the interesting and useful part of his career; he went back to Karachi, and he joined the Karachi Bar for the purpose of earning his own livelihood; but he did not forget that life does not consist only in the seeking of private ends and private maintenance, and inspired by this sentiment, as I hope our young men will be inspired, he not only joined the Karachi Bar, but at once set himself to make himself useful in public life. He joined the Karachi Municipality in the very next year following. Since 1887, Mr. Tahilram has worked with all his heart and all his soul for the Municipal interests of Karachi, so much so that his merits were formally and fully acknowledged, and in 1895 he was elected Vice-President of the Karachi Municipality. But, gentlemen, that was not all. His hard work was appreciated not only by his own fellow citizens but by Government, and in the next year, when Hon'ble Mr. P. M. Mehta.

Sir Charles Ollivant was the Commissioner of Sind, with that liberality of mind which has always distinguished him, he appointed Mr. Tahilram President of the Municipality (Applause). In that office it is that our distinguished fellow citizen still does his useful public work. There is one incident in his career to which I may be allowed to refer. Mr. Tahilram, when plague infected Karachi, worked as hard as you can expect any Government official to work—and Government officials, you know do work hard. (Laughter). But the reward of his hard work was a somewhat curious one. Lord Sandhurst went to Karachi about that time, and with his advent, he caused the appointment of a Plague Commitee divesting the Municipality which had worked so hard, of the working of plague measures. The interesting part of my little story is this:—A large number of both the Native and European members of the Municipality, of course, apart from the official members, tendered their resignation, and, gentlemen, they *walked out* of the Municipal Hall (Loud applause)—for the purpose not of *a theatrical demonstration*—(Laughter)—but for the purpose of entering their staid and sober protest against an action which they thought divested them of the means of being useful to their fellow citizens, (Applause) useful in a way in which they had proved themselves to be proficient. However, it is my good fortune to relate that luck was with the Sindhi gentlemen. Conciliatory counsels prevailed, and Sir Andrew Wingate, whom we know to be a man of most conciliatory and persuasive eloquence, induced them to withdraw their resignations. Mr. Tahilram, I may mention, has been honoured by Government with a C.I.E. I mention this for the purpose of showing that he has acquired it simply by steady, honest and indpeendent work. He has never sought public honours, and even in the post of President of the Karachi Municipality, which, remember, he owes to Government, he has never abated one jot of the independent guarding of the rights of the citizens of Karachi which he knew it was his duty to protect. Gentlemen, I think you will agree with me that it is a very fortunate thing for us that we are able to ask to the chair a distinguished gentleman with such a career as the one which I have described, and I have no doubt that you will acclaim the election of Mr. Tahilram Khemchund to the Presidency of this Provincial Conference unanimously and enthusiastically. (Applause).

Mr. H. Nanabhoy.

Mr. Hurdevram Nanabhoy said: I have very much pleasure in seconding the proposition so ably and eloquently moved by Mr. Pherozeshah Mehta. I need scarcely add to what has fallen from Mr. Mehta; but I can say this that as a representative of the cultivators of Gujerat, I hope the Conference presided over by Mr. Tahilram will raise a voice which will rightly utter what we think. (Applause).

Hon'ble Prof. G. K. Gokhale.

The Hon. Mr. G. K. Gokhale, who was received with loud applause, in supporting the proposition said:—Some of you may be aware that the idea has been started from time to time to separate the Province of Sind from the rest of the Presidency and amalgamate it with the Punjab, and I have a reluctant suspicion that our Sindhi friends are not heartily averse to such idea (" No, No !") because they imagine, and I believe with some sort of justification, that they do not receive at the hands of the Government the consideration which the people in other parts of the Presidency receive. Whatever complaint they have to make on the score of being neglected, I am quite sure that the election of Mr. Tahilram will be some evidence of the fact that we at any do not want to part with the

Sind men and do not want them to part from us (" Never ") as regard the personal qualifications of Mr. Tahilram, Mr. Mehta has dwelt on them at some length I think I need not say anything more than that in him we have a person of sound and balanced judgment, a man who is accustomed to guide the deliberation of public bodies, and therefore the interests of this Conference can be safely left in his hands. (Applause).

The proposition was carried unanimously and with acclamation.

The Presidential Address.

The President's Address.

The President having occupied the chair proceeded to deliver his presidential address. He said :—

Brother Delegates, Ladies and Gentlemen :—I beg to tender you my warmest thanks for the very great honor you have done me in inviting me to preside at this your Eleventh Provincial Conference. I wish some other gentleman more competent than myself, and with better credentials than I can lay claim to, had been selected for the honorable but onerous post. It is not without considerable hesitation that I have accepted the duty to which you have been pleased to call me; for when I remember that your choice has hitherto fallen upon such eminent men as the Honorable Mr. Pherozeshah Mehta, the Honourable Mr. Sayani, the late Honourable Mr. Javarilal Umiashanker Yajnik, Mr. Dinshah Eduljee Wacha, the Honourable Mr. Chandavarkar and the Honourable Mr. Parekh—men well-known for their services to the country—man by whose side I have no record to show, I cannot help feeling how utterly unqualified I am to occupy this post. It is entirely due to your good will and your desire to bring Sind out from its isolation that I stand before you to-day; and for my part I throw myself entirely upon your indulgence, with every confidence that you will condone my shortcomings.

Since we met last at Satara, the Empire has sustained an irreparable loss in the demise of Her Most Gracious Majesty the Queen-Empress. Her long and illustrious reign was a reign of beneficence for India, Her death flung the whole nation into great sorrow, and was the occasion of manifestation of grief remarkable alike for its spontaneity and depth. This outburst of grief, which has been described as " wonderful and striking " has led Englishmen to realise, as, perhaps they never did before, how close was the hold she had gained on the hearts of her Indian subjects, and in what profound reverence she was held. The secret of this is to be found in her spotless and saintly character, combined with parental solicitude and affection for her subjects. She has left us a priceless legacy in that Magna Charata of ours—the precious Proclamation of 1858, " the golden guide to our conduct and aspirations, " as Lord Curzon in his beautiful language has called it. It is no wonder to us that when donor of such a legacy passed away there was universal sorrow, and every one, from the peasant to the prince felt as if he had lost a near and dear relation.

It is a matter of consolation, however, that her illustrious son, the present, King-Emperor Edward VII, who has succeeded her, has been graciously pleased

The President's Address.

to assure us of his endeavour to follow the splendid example of his mother, and "to work for the general wellbeing of his Indian subjects of all ranks, and to merit their loyalty and affection. His Majesty has already shown his solicitude for the welfare of India by according his sanction to the formation of an Imperial Cadet Corps, designed for the military education of the Princes of India. It is a small experimental measure, no doubt of a limited character, but it is one that is full of promise, and capable of great extension, and one in which we notice an attempt to recognise and satisfy the legitimate aspirations of the princes and people, to be well trained for the profession of arms.

Coming to our Presidency, we have to mourn the loss of our late distinguished citizen, the Honourable Mr. Justice Ranade. It is impossible to refer to his name without feeling what a heavy and grievous loss this Presidency, nay entire India, has sustained, and without realizing how helpful his unrivalled knowledge of the Indian ryot, his close study of Indian economics, and his mastery of agricultural problems would have been to us at this juncture. In him we have lost not merely a ripe and distinguished scholar, with wonderful intellect, but a man of great independence, and an ardent patriot with a lofty sense of duty and a statesman with great sagacity and an earnest, practical reformer, whose utterances were characterized by great moral fervour. The loss inflicted by the death of such a countryman and fellow-worker is immeasurable and irreparable. It seems to be India's peculiar misfortune to lose her best men, enjoying the confidence of Government and the public, just when they are needed most.

Quite recently the Presidency has lost another good citizen, Sir Dinshah Maneckji Petit, a pioneer of the mill industry, and a noted philanthropist, who will always be remembered for his varied and extensive charities. Amongst European friends we have lost Mr. Grattan Geary, whose journalistic and Municipal services are so well-known to you, and the Honourable Mr. Nugent, who died, as he lived, in the service of this Presidency.

Turning from this mournful subject to other topics, I find that the two chief legislative measures enacted, in the interval since we met last, are the District Municipal Act and the Act amending the Land Revenue Code of 1879, better known as the Land Revenue Bill. When the Municipal Bill was introduced in 1899 by the Honourable Mr. (now Sir Evan) James, it created a great deal of consternation by its retrograde character and by the unmistakeable indications it contained of departure from the policy of local self-government as enunciated in the famous resolution of Lord Ripon. It was, indeed ushered, in with a very conciliatory and consoling speech, but the Bill was so entirely out of harmony with the sentiments uttered by its Honourable mover, that the Honourable Mr. Chandavarkar was constrained to remark in his humorous way, "I wish the Bill was as good as its mover. In fact, as I sat listening to the observations of the Honourable mover, I could not help feeling that he had by a strange irony of fate got hold of the wrong Bill and forgotten the right one which

he ought to have placed before us." If the right one has not been substituted, still it is extremely satisfactory to observe, that the Bill originally introduced has, in its further progress, been shorn of its most objectionable features, and, if our legitimate aspirations in regard to higher privileges being conferred are not satisfied, at any rate we have not to complain of the Act as a very retrograde measure. For all this our cordial acknowledgments are due to His Excellency Lord Northcote's Government, and especially to Sir Charles Ollivant whose conciliatory spirit and sympathetic attitude in the Select Committee enabled him to meet most of the objections which had been advanced against the original Bill. There are, however, two or three features of the new Act which it would not be right to pass over without some remarks.

It is a matter of keen disappointment that even after the trial of local self-government for a period of sixteen years—a trial which the mover of the Bill himself said had resulted on the whole in success—Government could not go a little further and liberalise the constitution of Municipalities, at any rate of City Municipalities. When the Act of 1884 was under consideration in the Council, objection was taken to the minimum elective element being fixed at half, and the measure was consequently criticized as illiberal compared with similar measures in other Presidencies. On that occasion the Honourable Mr. Badroodin Tyabji, voicing the opinions and feelings of the Indian community on the subject, observed that "Unless a decisive majority is given to the elected members the Bill will be practically worse than useless; it will be mischievous. The real power will belong to the local authorities, and the present measure will continue and practically perpetuate the present system under the high sounding name of local self-government. It seems to me that the people will have gained little more than a bare responsibility for the administration of funds and affairs over which they will have no real control." Everyone who has got the least acquaintance with Mofussil Municipalities, especially municipalities presided over by officials, will be able to say how true are the words spoken then. In reply, however, to the remarks then made, the Honourable Mr Peile, who was in charge of the Bill, held out assurances that the provisions would be worked in a broad and liberal spirit and that while the Bill guaranteed a minimum of half, there was no restriction to a larger franchise being given in the case of advanced municipalities, taking pains to point out that "the Bill was in advance of similar measures in other provinces, as it made *permissive the election of the whole body*," the implication obviously being that, at any rate, some municipalities might look forward to being constituted wholly on the elective basis. How delusive that has proved is so well-known that I need not dwell at length on it. Far from any Municipality being constituted entirely on an elective basis under the permissive provision referred to, there have been only two Municipalities throughout the Presidency that have ever been allowed more than the guaranteed half, namely, the Poona Municipality, which had at one time two-thirds, and the Karachi Municipality, which has got 18 elected members out of a total number of 34.

So, when the new Bill was introduced, occasion was again taken to press the demand for larger elective franchise being given to Municipalities. But the demand has been evaded by a stereotyped reply being given in the following terms:—"We are legislating not for one Municipality, but for a great many Municipalities, all of which may differ very considerably in every respect although

Government might in one case consider that a large majority might be elected, it would be absolutely impossible to say that in all Municipalities there should be a majority of elected members as a matter of course." The hollowness of such a reply is transparent. The Act makes a distinction between City and Town Municipalities in so many particulars that it would have been quite easy to insert a provision constituting the two classes of Municipalities on a different basis and guaranteeing to City Municipalities two-thirds—or, if Government were not prepared to go that length—than at least three fifths elected members.

The strengthening of the City Municipalities in this respect is absolutely necessary in view of the large powers that Government have reserved to themselves—much larger than they possessed under the old Act. The new Act empowers Government not only to require City Municipalities to appoint superior officers, like the Chief Executive Officer, Health Officer, or Engineer, but even to veto the appointment of any particular person selected by the Municipality for any of such posts, and even to direct that a certain person be not continued in any of those offices. Government have further powers to direct not only that Municipalities should divest themselves of certain executive functions in favour of the Chief Executive Officer, but also to direct that powers which the Municipalities may possess in respect of epidemic diseases be delegated to any Councillor that Government may select. This virtually means the supersession of the ordinary executive by, perhaps, a Government nominee, or a Government servant.

In view of these extensive powers of intervention thus reserved by Government, I feel strongly that the elected members should in a City Municipality be in a majority; but not only have Government made no advance on the old Act in respect of the elective franchise but they have also reserved to themselves power to trench upon even the minimum half guaranteed under the old Act, by inserting a provision relating to sectional representation. The one great justification for reserving the power to nominate one-half, that was advanced at the time Act II of 1884 was passed, was the need of the representation of influential minorities, His Execellency Sir James Fergusson stating: "I think it must be perceived that, at any rate for a long time, it will be necessary in this country to retain in the hands of Government the power of filling up the complement of Municipal bodies beyond those elected by the people, in order that representatives of *considerable section of the people who are in a minority*, or gentlemen who have attained to an eminent position, and are plainly calculated to lend weight to the deliberations of such bodies, shall not be left out." And the reason assigned for introducing sectional representation was stated by the Honourable Mr. James in the following terms: "It makes provisions *for the representation of minorities.* I have seen in my experience, which is very large, a city divided into wards, where the bulk of the citizens were of one race or caste, but where there were also in the city other races or communities scattered about in smaller numbers than the main body of the population. The object of this is to enable these communities, when they are sufficiently large, to have representation, and not by a mere numerical franchise to be disfranchised altogether. *That is all.* We want to improve the electoral bodies, and certainly not put back the clock. We want to advance it a little bit." In respect of these minorities it is obvious that the Honourable Mr. James was alluding to Mahomedan minorities

in the principal cities of Sind. Whatever the views may be as to the best method of securing the representation of minorities, whether the best method is to follow the system that prevails in Bombay, or to allow communities as such to return their own members, there can be no manner of doubt that this representation of minorities should not be in substitution of election by rate-payers, and the Act should have made it quiet clear that the minimum half guarranted by the Act was not to be trenched upon by any executive action. However valuable sectional representation may be as an auxiliary to supplement the deficiency of election by rate-payers, it should not be at the expense of the guaranteed minimum.

The next prominent feature of the new District Municipal Act which imposes is to be noticed on fresh obligations on Municipalities to provide funds for dealing with epidemics like the plague, to provide for famine relief works and to make a contribution to leper and lunatic asylums. The last is an entirely new obligation; the second, under the old Act, was merely discretional; and as regards plague, experience has shown that the Mofussil Municipalities, one and all, are unable to bear the strain of plague expenditure. Complaints have gone forth from all Municipalities that they have been entirely crippled by plague expenditure—a complaint which is shared in by the Karachi Municipality, that has an annual revenue of over six lakhs of rupees. The Honourable Sir Charles Ollivant in justifying the retention of these clauses said: "It must be remembered that in this Bill we have to provide not only for likely contingencies but for imaginable contingences ..... it is also an imaginable contingency that there should be a Municipality with an overflowing treasury. But I am certainly of this opinion, that the burden of extraordinary expenditure should not be put upon the Municipalities to the prejudice of their ordinary and necessary duties." I venture to doubt if there is any Municipality with an overflowing treasury, and if there is any reasonable prospect of any Mofussil Municipality having at any time abundance of funds. It is all very well to say that a Municipality will not be called on to bear plague or such other extraordinary expenditure until and unless it has performed its ordinary duties; but in practice a very wide interpretation will be put upon it. I know from the experience of the Karachi Municipality how, in the first place, it was led to incur heavy expenditure, which was met originally entirely from advances and loans by Government, and how it was subsequently obliged to raise money in the market to repay Government which threatened and actually charged 6 per cent. interest until a loan was raised, and how heavy taxation had to be restored to, and how necessary sanitary works had to be put off. When such is the experience of the Karachi Municipality, one will readily understand what will be the case with Municipalities that are presided over by officials and have no more than half of their number elected. Besides, the existence of such a provision will generally be appealed to as a justification for additional taxation, and lead to friction between the Municipalities and their official superiors. Lastly, it should be borne in mind that when the law comes to be interpreted, the real intentions of the Legislature are seldom borne in mind. The administrative interpretors of the law read it within the four corners of the enactment. Again, verbal assurances and promises, however sincerely made with *bona fide* intentions, at the time of the passing of a law, are never borne in mind. They seem to be forgotten no sooner the law is made.

The President's Address.

The next legislative measure that has agitated the public mind considerably is the Land Revenue Bill, which has just been passed into law against the entire weight of non-official opinion by the sheer force of the official majority in the Legislative Council. You have had in this city the other day a Conference of delegates from all parts of the Presidency excepting Sind to consider the subject and since then there have been many animated discussions regarding the merits of the Bill at the debate in the Legislative Council. The powerful and searching criticism to which the Bill was subjected by our friends in the Council has rendered my task easier. It has been demonstratd by the Hon. Mr. Gokhale in his lucid speech how the Bill, now unfortunately the law, will be practically inoperative for the purpose contemplated, and instead of helping and improving the condition of the indebted ryot will do considerable harm to him. The *pros and cons* have been discussed so threadbare that any detailed discussion at my hands of its provisions and the effects thereof would necessarily be a mere repetition of the arguments already urged. I shall, therefore, not tread on trodden ground, but venture to examine the Bill in reference to the special conditions prevalent in Sind.

In Sind, the settlement now in force is what is called the Irrigational Settlement, the principal features of which are that there is no minute classification of soil and water; villages are grouped according to facilities of irrigation and communication, and the assessment is levied on only such survey numbers as are cultivated, the rates being determined according to the mode of irrigation actually employed in each season, subject, however, to the condition that if a number remains fallow for four consecutive years it shall pay assessment in the fifth year. If the assessment is not paid the number is forfeited. The arrears forfeited in Sind are chiefly under the fallow rules and are much larger than in all the Divisions of the Presidency proper combined. The assessment on such forfeited numbers is shown in the *jamabundi* returns as remitted. An idea of the areas forfeited in a year can be gathered from the amount shown as remitted on this account in the *jamabundi* returns. In 1894-97, for instance, the remissions on this account amounted to Rs. 1,86,216 as against a total revenue demand of Rs. 87,91,559. The attention of Government was attracted to this large amount, and in reviewing the Administration Report of that year they desired that in future a more detailed explanation thereof should be given. Referring to this subject in the report of the following year, we find the following remarks: "Under the Irrigational Settlement of Sind, an occupant is bound to pay assessment on the survey numbers he actually cultivates in the year, and for four years, under the rules sanctioned by Government, he is allowed to retain the uncultivated portions of his holding without paying any assessment. In the fifth year he must pay assessment (known as fallow assessment) on it, whether cultivated or not, or surrender the land to Government. When an occupant chooses to give up the land rather than pay the fallow assessment, the assessment is not levied. . . . . Although when the land is given up, unpaid fallow assessment is treated in the accounts as "remitted," this is a *misnomer* because when the land is again required by its original holder, *who is allowed a preferential claim to it*, it is not restored without payment of the assessment in arrears, except on very special grounds. In Sind, the policy of levying assessments from fields that bear no crops was once tried for some years, and found disastrous to both Government and the Zemindars. It was, therefore, given up, and a system 'pay when you cultivate,

has been substituted which is working satisfactorily." The subject is again referred to in the same report in the following terms: "The figures relating to land forfeited for non-payment fallow assessment require no further notice, as it is explained before that *these are restored to their original owners when they wish to take them again on payment of arrears.*" Thus you will notice that the right, or say the preferential claim, of the original owner to the fallow forfeited land, which he can get back again on payment of arrears of assessment, is clearly recognized and forms a distinctive feature of the Irrigational Settlement. It is still much more clearly stated and recognized in the following extracts from the subsequent Administration Reports. Mr. Giles, the present Commissioner in Sind, when submitting the Administration Report for 1897-98, speaking of the fallow forfeited land, says: "*As Government are well aware, the forfeiture is only nominal, as the former holder has the option of at any time redeeming his land on the payment of one year's assessment.*" Almost in the same terms the Hon. (now Sir Even) James speaks of forfeitures in the Administration Report of 1898-99 submitted by him only last year. He says:—"The forfeitures shown were, except to minute extent, under the fallow rules, and are, as Government know, *nominal, the lands thus forfeited being restored to original owners on payment of arrears.*"

You will thus observe from these authoritative declarations that the forfeitures in Sind, which are almost entirely of fallow lands, there being no occasion for forfeiting cultivated lands owing to the system of liberal remissions that prevails,—are purely nominal and not intended to deprive holders completely of their rights. Further, I may tell you there is no coerive process of any kind ever issued or attempted in respect of arrears of fallow forfeited lands. Now, under the new law what would become of these so-called fallow forfeited lands, which the owners have allowed to be forfeited, because they have been assured that they could get back their lands on payment only of the arrears of assessment? Before the Land Revenue Bill was passed the ryot could get back the land on the same tenure on which he held it prior to the so-called forfeiture, now it will be on a completely different tenure. This shows that the Hon. Mr. Monteah's statement that no vested interests were affected by the Bill is not quite accurate, in so far at any rate as it omits to take account of the circumstances of Sind. Still the Land Revenue Code applies to Sind, and from the references to agricultural indebtedness in Sind made during the discusssion of the Bill, the danger of the new police being extended to forfeited lands in Sind is imminent.

Then as regards waste lands, the question as to what right Government possesses or what equitable claims occupants have in regard to them, can only, be satisfactorily answered, so far as Sind is concerned, by a reference the history of these waste lands and the process by which Government came to acquire them. The land at the time of the conquest was almost exclusively in the hands of Mahomedan Zemindars, who not only held extensive estates, comprehending cultivated as well as waste and fallow lands as their own, but who exercised their rights as lords of the manor within a recognized sphere of influence. Of his manorial rights the Zemindar, of course, was deprived by the conquest; but he was left undisturbed in the possession of his land—cultivated and waste—paying only revenue on the area *actually cultivated.* In 1865, however, the Bombay sys-

tem of Revenue Survey was for the first time introduced into Sind. Mr. Mansfield, the then Commissioner in Sind, finding the area of waste land in the occupation of the Zemindars very considerable boldly asserted the right of Government thereto, and allowed the Zemidars to retain his waste land only on the condition that he paid for it just in the same manner as for cultivated land, treating the Zemindar in the same way as a ryot in the Deccan. The result was that while in some cases extensive areas of waste land were immediately given up, in other cases—by far the more numerous—the Zemindars, with their natural reluctance to part with their estates, had all the land cultivated and uncultivated marked out, thus incurring thereby not only considerable initial expenditure, but also liability to pay rent for the waste land, which owing to the absence of irrigational facilities and other causes beyond their control, could by no means of possibility be cultivated. The consequence, as it might have been anticipated, was that the Zemindar, after having been impoverished by the Settlement, was forced to part with his waste land and throw it up in despair.

The Zemindar, however, was at no time left without friends and sympathisers amongst officials. So far back as 1864 we find that one of the most experienced Settlement Officers— Captain Taverner —referring to large tracts of waste land in the Kandiaro Taluka and the claims of Zemindars over the same, suggested that before any waste land was granted to a stranger it should be "offered to the Zemindar or Zemindars whose cultivation adjoined the waste in question and who claimed the Zemindari right over it on the same terms" as would be offered by the stranger, and further suggested that if the Zemindar could not take up the land for cultivation himself, either the lessee should be required to pay a Lapo to the Zemindar, or that the Zemindar's rights should be purchased from him. Colonel (then Major) Lambert, Collector of Hydrabad being strongly opposed to the suggestion of Capt. Taverner, advised Government thus: "Sweep away Zemindari right over this waste once for all, and the present claimants will be very discontended; but as the new generation rises the old right will be forgotten from there being nothing to keep up the remembrance of it, and no causes for dissatisfaction will remain." So the Zemindari rights over waste lands not retained by the Zemindar himself, were swept away, and as regards waste land that he retained in his occupation he was required to pay for it like cultivated land with the results shown above.

The question, however, continued to agitate the Zemindars, and exercise the official mind, and was referred for consideration to a Conference convened in 1875, along with other questions arising out of the Revenue Settlement. The results are embodied in a Government Resolution of 1875, published in the Settlement reports. That Goverment Resolution mentions that there were existing in Sind at the time of the conquest, a considerable number of large Zemindars who held extensive estates, comprehending waste as well as cultivated land;" and after pointing out how under the Survey system these large Zemindars were practically deprived of the waste land because of being compelled to pay assessment thereon in the same way as on the cultivated land, proceeds to say that "Government have no desire to ignore the fact that under the ancient system of the Goverument of the country, these landed gentry of Sind have for some generations been in the enjoyment, more or less undefined, of certain advantages over waste land although the Government could, as a last resource,

call on them to cultivate the waste or resign it. *Of these advantages it would be neither just nor politic* to deprive them by the sudden and rigid introduction of a new mode of collecting the land revenue, which has been found convenient in other parts of the Presidency, where it is not brought into conflict with any such privileges." The Conference, while holding that "Zemindars cannot legally claim a proprietory title in any land they do not cultivate or pay for" still came to a unanimous conclusion that "Zemindars have certain claims over waste lands, which it is only right and politic to respect." I would here parenthetically add that while it would have been dangerous for the Conference or Government to have admitted the legal right of the Zemindar, to the latter it was practically a matter of indifference how or under what form his claims were recognized, so long as they were recognized. The Conference recommended that the best solution of how these rights were to be recognized would be to adopt a lease system and grant the Zemindars leases, which would "include all waste lands there may be any reasonable prospect of a man being able to cultivate permanently or in rotation for . . . . the term of settlement at a reduction on the whole not exceeding 30 per cent. on condition of not throwing up any portion during its currency." This plan commended itself to H. E. the Governor-in-Council, who approved of the proposal and directed it to be "carried out, as far as practicable, for the whole of the surveyed district of Sind, as soon as possible." The area which was to be included in the lease and the terms on which it was to be granted, were, however, left open to be decided in each individual case by the Survey Officer and the Collector, subject to the sanction of the Commissioner in Sind. This led to further correspondence to and fro, and one of the suggestions made was to treat waste land as privileged, and to allow it to remain with the occupant without payment of assessment until such time as the Collector thought, on the consideration of each individual case, that facilities existed for its cultivation, when the owner was to be required to bring it under the plough, and pay assessment thereon or resign it. The correspondence continued until Mr. Erskine came on the scene, who reported against making any concessions regarding waste land to Zemindars on the lines contemplated by Government, remarking, however, that the land was still ready for them when they wished to take it up, and they still had the first refusal of it, and emphasizing the same view again after the introduction of the temporary settlement, subsequently termed the Irrigational Settlement. Thus you will notice that it was owing to changes in the personnel of the service that the right or the equitable claim to waste land of the Zemindars, at one time admitted, was swept away on the understanding that before any waste land was given to an outsider it would be offered to the original holder. It is not quite correct to say that Government have got absolute justification for disposing of waste land in any way they choose without looking to the original rights of Zemindars and allowing them the option of having it on the old terms. This land practically stands on the same footing as fallow forfeited land, and the practice in regard to waste land forfeited under the old settlement has been to treat it in the same way as if it had been forfeited under the existing settlement and to grant it simply on payment of one year's arrears of assessment.

The question of agricultural indebtedness which is pressing for solution in the Presidency proper also confronts us in our Province. The causes which operate to produce indebtedness are not precisely the same as prevail on your side and the conditions of agricultural life, and the circumstances under which agri-

cultural operations are conducted there, differ in so many respects from those on your side, that it is quite possible that the measures suggested for meeting the difficulty here are either not needed or not suitable for Sind. Though the land tenure in Sind is ryotwari, we have got a large body of proprietors called Zemindars, having considerable areas in their holdings. In Sind in ryotwari villages there are 1,668 holdings of over 500 acres each, out of a total of 120, 859 holdings comprising 5,483,002 acres, as against 59 similar holdings out of a total of 279,648 holdings, comprising 330,340 acres in the Northern Division, as against 138 holdings out of a total of 432,055, comprising 12,871,949 acers in the Central Division; and as against 91 holdings out of a total of 305,455, comprising 5,881,814 acres in the Southern Division. Thus it will be seen that in Sind the number of large holdings considerably exceed even the total number of similar holdings in all the three Presidency Divisions put together. Again, if we look to holdings of between 100 and 500 acres we find that the proportion of such holdings is far higher in Sind than in any other division. In Sind there are 8,454 such holdings as against 1,896 in the Northern Division, 16,314 in the Central Division, and 5,268 in the Southern Division, which compared with the total number of holdings in each Division, works out as follows:—6.9 per cent for Sind, 0.67 per cent. for the Northern Division, 3.7 per cent. for the Central Division, and 1.7 per cent. for the Southern Division. Thus in Sind we have to deal with a large number of big Zemindars with extensive holdings. What the exact proportion of Hindu and Mahomedan Zemindars is there are no figures to show.

Secondly, the land owned by the Zemindars is cultivated by means of tenants called Haris, who receive a fixed share of produce varying from one-fourth to half according to custom in different parts of Sind. These Haris, besides receiving takavi for the purchase of bullocks, etc., when they first join a Zemindar, without any interest, which amount is generally to remain with them so long as they continue with the Zemindar, have often to be paid advance for subsistace between one season and another. If the Zemindar has got no spare capital he must either borrow or stand security for them with the village Banya from whom the Haris borrow.

Thirdly, labor is scarce and not sufficient to cope with the land that is available for cultivation. In Sind the total culturable area is 12,795,697 acres, out of which only 6,436,921 acres are shown to be occupied. Thus nearly half remains uncultivated because of scarcity of labor in Sind and want of enterprise to import it from outside.

Fourthly, cultivation itself is exposed to dangers not known on your side, involving the Zemindar in case of a failure of one crop in heavy losses and necessitating his resort to the money-lender.

Referring to the difficulties of the Zemindar in Sind, Mr. Mountford Manager of Encumbered Estates in Sind, in his recent pamphlet, says: " Cultivation in Sind is carried on under peculiar difficulties. Everything depends on the height and duration of the inundation of one of the most capricious rivers of the world. As no one can hazard a guess what the nature of the coming inundation will be, it is impossible to provide against it. Again, Indus seems

to prefer a change of course at intervals, and, according to the set of the stream, canal sluices and regulators are carried away and canal mouths silted up at the most critical periods of cultivation. The very riches which the Indus distributes with its silt are not an unmixed blessing, as the deposit necessitates heavy clearance expenses year by year. If the inundation is low, crops will wither and labour and seed will be lost; in a high inundation, low-lying cultivation will be swamped, or, while all is going on well, a sudden fall will silt up the mouth of the canal and cut off the water . . . Added to all this trouble, anxiety, risk and heavy expense that a capricious river causes are the ordinary troubles that vex the soul of the cultivator, locusts, rats, blight, frost and wird. And if Natures' forces combine to render agriculture a difficult and hazardous undertaking, the economic conditions under which cultivation is carried on are not calculated to improve matters or to render the Zamindar's position any more solvent. In order to live between the harvests, the tenant has to borrow from the money-lender, as no balance remains over from last year's harvest, which was taken by the money-lender to pay for last year's expenses. The tenant . . . . can only borrow on the Zemindar's security. The Zemindar is responsible for recovering from his Haris at the time of harvest all that the Banya has advanced to them during the year; he is responsible also for the debt of those who die, or adscond, or refuse to pay. . . . . If the year is bad and the tenant's share cannot satisfy his debts the Zemindar becomes liable, and a few bad years will render it impossible for the Haris ever to make good their Zemindar's liability, as they go on borrowing at the same rate from the money-lender, and their year's share is absorbed by their year's borrowing leaving nothing to pay off arrears, while, added to this, are the Zemindar's own household expenses, for which he has himself borrowed against the time of harvest. To use force to the tenants at will by giving them a smaller share of the Batai would be impolitic, as they would abscond if pressed too hard, and take service under a more lenient neighbouring Zemindar, *for tenants are scarce.*"

Thus the abundance of land, scarcity of labour, expenses involved in cultivation and risks attendant, which are so great that one failure of crops would necessitate resort to borrowing—all these point to the conclusion that no measure calculated to frighten capital will do and that restriction on transfer can hardly be a suitable remedy for Sind, and that any unnecessary and unreasonble difficulties in the way of the sowcar will, far from benefiting the Zemindar, recoil on him and retard cultivation.

It is on these grounds that I deprecate the introduction of the Deccan Agriculturists' Relief Act in Sind about the success of which even in the four Deccan Districts there seems to be no unanimity of opinion. The Deccan Sabha, which is well qualified to speak on a subject like this, in its representation on the Land Revenue Bill to Government, incidentally refers to the subject in the following terms: "It is well-known that opinion is divided as to whether this Act has, on the whole, done harm or good to those for whose benefit it was passed, and that while the weight of official testimony is in favour of the Act the view does not commend itself to a large section of the general public." The introduction of the Act came as a surprise upon the money-lending community in Sind, and they have been so frightened by it that there is a great fear entertained of the rupture of the cordinal relations that have, on the whole, subsisted between the Zemindar and the sowcar in the mofussil.

There are no doubt dishonest and rapacious sowcars in Sind as there are elsewhere, but the Act makes no distinction between the good and bad—between the town and the village sowcar—and is calculated to scar away even the honest and good. The obvious remedy for such a state of things is not curtailment of credit by putting restrictions on the transfer of land, but lies in better organizing the Zemindar's credit, whereby recovery of *just and reasonable* loan can be facilitated, and lastly, in his education. On this last subject, namely, education, Mr. Mountford very rightly observes, "It is impossible to help him (the Zemindar) as long as he remains illiterate and unbusinesslike and improvident; he must first of all be educated, and *thrift and business habits will soon follow.*" Many hard things have been officially said about the sowcar on your side, and Mr. Mountford all depicts the village Bania in Sind in the darkest colours, but even he is obliged to admit that "until he can be replaced he is indispensable as a loan fund."

A good deal has been said, without the least justification, of the extravagant habits of ryot on your side and it is curious to observe that even in Sind whenever the cry has been raised of the Zemindar's indebtedness it has been the fashion to attribute it to his extravagance—and here, it must be remembered that I am speaking of the Mahomedan Zemindar, for it is generally for his benefit that measures for relief and protection are designed in Sind. In order to refute the charge of extravagance brought against the Sind Zemindar, I shall again cite the testimony of Mr. Mountford, who says: "I consider that with all his ignorance and improvidence he is not the extravagant individual he has so long been considered. Extravagance is rare; improvidence is very common; the latter will disappear with education." Again in another place, speaking of the Zemindar and the charge that is often brought against him of his indebtedness being due to reckless extravagance he says: "The reckless extravagance, that we hear so much of exists in the minds of those whose knowledge of the Zemindar is confined to the *role* he plays as defendant in their courts or appellant against some extortionate decree. . . . I can unhasitatingly affirm that not 10 per cent., have justly incurred this epithet. . . . Their indebtedness is chiefly due to bad seasons, which make them responsible for their Haris' debts; defective water supply as in Upper Sind Frontier, difficulty in selling grain, and expenses on ceremonies are the chief causes of debt, coupled with carelessness in not exacting receipts for payments which they frequently make twice over, unbusinesslike habits and thriftlessness. Except for ceremonies their expenditure is little. What do they spend in comparison with the European? They are very hospitable and they cannot at once abolish *otak* and *Mehamenkhana,* but we also entertain. They spend a lot on marriage and other ceremonies once in a way; but this takes the place of the town pleasures of the European farmer, who also spends his money on like ceremonies. They spend money on horses and cattle, but this is merely a commutation of capital. They spend nothing on furnishing their house, very little on recreation, and *they live a most simple life, on the simplest food and drink.*" Thus it is that Mr. Mountford defends the Mahomedan Zemindar against the charge of extravagance brought against him.

We thus find that the charge of extravagance brought against the Zemindar in Sind has as much force there as a similar charge against the ryot on your side; and that the Land Revenue Bill has as little justification in the circumstances of Sind as in the circumstances of agricultural life in the Presidency proper.

This is not the place to discuss the suitability of the measures suggested by Mr. Mountford for the relief of the indebted Zemindar in Sind in the pamphlet which he has recently issued, and to which I have been referring in this Address; but at the same time with reference to the attack upon the village Bania in Sind, that he is dishonest, rapacious and a forger, I would in passing point out that while Mr. Mountford admits that "in the large towns of Hydrabad, Shikarpur, Karachi and Larkana, we find money-lenders of the highest integrity" whose "book-keeping leaves little to be desired, for they keep not only the *roznama*, which is closed every month, but also a *roznama* in the real sense of the term, which is written up daily, and their books are neatly kept and free from alterations, or are altered in such a way as to show the original entry," it seems not to have occurred to him to ask himself why do not these Mussulman Zemindars go to these money-lenders in the towns, and what are the causes which prevent the flow of capital to the villages.

As I am on the subject of agricultural indebtedness, I might just as well refer at this stage to the latest authoritive opinion. We have been told that the sole *raison d'etre* of the Land Revenue Bill has been founded on the expediency of ameliorating the condition of the ryot by mitigating the burden of his indebtedness, which has during recent years grown to an alarming extent. That object, according to the author of the measure, would be accomplished to a certain extent by the section which restricts his right of transfer of the land he tills. Opinions seem to differ whether any legislative enactment will save the cultivator from the grip of the money-lender. You may restrict his right of transfer, which the Commission itself seems to have favoured. But, on the other hand, there are those—and it is a large majority—who think that not even legislative restrictions will induce that freedom from hopeless indebtedness which the State aims at with the best of intentions. For, after all, it is intelligently asked what is the underlying cause of this universal indebtedness? What may be the root of it? For if the root be throughly investigated the true remedy could be easily found. Why do the ryots mortgage their lands, or sell them wholly or partly? It is answered that the accumulating pile of debt is the cause. But what leads the ryot to incur debt? That is the crux of the problem. Government alleges that in a large measure it is the ryot's improvidence and extravagance which drive him into the arms of the money-lender. But these allegations were entirely demonstrated to be fallacious by the Deccan Ryots Commission, which laid it at the door of the rack-rents demanded by the State, and they have been proved so by every competent authority since who has impartially endeavoured to ascertain the fact. Sir Antony MacDonnell and his colleagues agree with the conclusions arrived at by the Deccan Ryots Commission. It is the rigid system of revenue collection which first lays the heavy burden on the ryot. Unable to meet the oppressive State demand, he is reluctantly driven, tempted by the rights appertaining to this land for centuries past, to mortgage and even sell the land. And when the seed of debt is thus sown, it ramifies with vigour, as each successive State demand at the periodical revision becomes more onerous, with other rigid legislative restrictions as to forest manure, rab and so forth, his indebtedness grows apace till at last a succession of disastrous harvests entirely prostrates him and makes him a complete bankrupt and a sowcar's serf. Say the Famine Commission: "Nothing can be more useful in anticipation of famine than improvements in the material condition of the cultivators whereby

they may be enabled to withstand the pressure of hard times ; and nothing more impedes such improvements than an agrarian system under which the cultivators fail to reap the full fruits of their industry and are kept in a state of indebtedness." No sooner is he on the eve of reaping those fruits than the periodical revision comes, and the Revenue Officer sweeps them away by way of enhanced assessments. " The rigidity of the revenue system forced them into debt, while the valuable property which they held made it easy to borrow. This is the state of things to-day, and while it remains unaltered, indebtedness in the Bombay Presidency must continue and increase." Of course, it will. What the dire effects of this oppressive revenue demand and the rigidity of collections have been in the past may be learnt from the following further extract from the Report of the Famine Commission. " The Commissinn of 1891 found that within the preceding eight years, land paying 10 per cent. of the revenue, in the districts which they visited, had been sold, two-fifths going to money-lenders ; while lands paying 17½ per cent. of the revenue had been mortgaged, four-sevenths going to the sowcars. In his evidence before us the Chief Secretary to the Bombay Government said that 28 per cent. of the land in Broach had passed into the possession of the money-lending classes- . . . . . Taking all these statements into account, and comparing them with the evidence we have recorded, we think it probable that at least one-fourth of the cultivators in the Bombay Presidency have lost possession of their lands; that less than a fifth are free from debt ; and that the remainder are indebted to a greater or lesser extent."

But while this was the state of affairs, it was grievous to notice the way in which revenue was collected in Gujerat and elsewhere during the late famine, the same to which our public spirited citizen, the Honourable Mr. Gokuldas Kahandas Parekh, (Cheers) drew the prominent attention of the Bombay Government about this time last year in the Legislative Council and evoked a challenge. It is needless to state how that challenge was accepted and met ; and how the facts made out by the honourable gentleman constrained the Government to hold a public enquiry, and how Mr. Gokuldas succeeded in establishing the accuracy of his statements. We are also aware in what niggardly spirit the Government responded to the public appeal for liberal suspensions and remissions of revenue. That that policy is to a certain extent answerable for the subsequent events which have led to the Land Bill goes without saying. But in reference to it it may not be uninstructive to quote the mature opinion of the Commission itself on the necessity of " more than ordinary liberality " in times of famine. " The necessity for such liberality as a measure of relief is generally recognised and need not be examined in detail ; but we desire to draw attention to its political expediency. Any harshness in the collection of land revenue, particularly in a ryotwari province, goes far to reduce, if it does not obliterate, the gratitude which the people feel towards the Government for their rescue from starvation. For harshness strikes home with double force upon the revenue-payer in times of famines, when, owing to the general depression of credit, he can only realise on ornaments and other property a small proportion of their ordinary selling value." Such being the views of the Commission on the character of suspensions of revenue in times of famine, it is not surprising that the Commission have not viewed with favour the policy of the Bombay Government in respect thereto. The smallness of the suspensions and remissions granted in 1897 was, according to the Commission of 1898, the most questionable feature of the scheme of relie

adopted . . . In the recent famine a far greater measure of liberality was accorded; but the action gave rise to much criticism and disputation. . . . . The action of the Bombay Government was in direct conflict with the principles which we consider to be vital in times of famine. Beyond a general knowledge that those who had not the means could not be expected to pay, the people did not know their position. The decision as to who had the means to pay was determined by inquiry into the circumstances of individuals; and this inquiry was based, of necessity, on the reports of subordinate village officials. The orders of the Local Government were peremptory and clear that nobody should be forced to borrow in order to pay the assessment, and the subsidiary instructions as to the classification of the revenue payers were theoretically well adapted to attain this object. But in practice the classification could not be satisfactorily carried out, and local officers appear to have felt themselves restrained by the limit which, in October 1899, the Government assigned to the estimates of suspension. This was particularly the case in Gujerat, where the original estimates of probable suspensions submitted by the local officers, amounting to 35 lakhs of Rupees, were cut down by the Government to 16¼ lakhs, on the ground of experience in 1896-97."

Thus, after being ground down by the rack-renting revenue system, and further harassed and molested by the policy of illiberal and exacting suspension and remission of revenue to which I have just referred, it was not surprising that the ryot was found to be hopelessly plunged into the morass of debt to extricate him from which the Government in an ill-starred moment introduced the unpopular Land Revenue Code Amendment Bill. But legislative panaceas of all sorts and degrees, and many an executive action, to ameliorate the condition of the indebted ryot, have proved utterly futile in the past. Even the Agriculturists Relief Act has been productive of no good. The Commission remark that "there is positively room for holding —and statistics show—that transfer of property both by sale and mortgage, have become more frequent in districts to which the Relief Acts apply." Of what use are palliatives then? Sir Antony MacDonnell and his colleagues think that "the time for palliative measures has passed and that the hour has come for recognizing facts as they exist." The State must grapple with the disease to the very root. Instead, it is again adopting palliatives which are doomed to failure. You may legislate for restriction of the right of transfer which the Commission itself has suggested, but even that will never improve matters. In fact I for one am surprised how, even after recognizing the real cause of the ryot's indebtedness, the Commission itself, while condemning palliative measures, should suggest others which are in no way less palliative and which, besides, revive State landlordism, which the Government of India once and for ever emphatically laid low in 1880 in its public despatch. The problem is how to extricate the ryot from the hands of the money-lender. This can only be solved when the State moderates its demand for assessments, and discourages those "scientific refinements in the work of assessment" which, as Lord Salisbury has observed in his minute of 26th April 1875, "are a natural exercise of the intellect in highly cultivated officers, but which worry the ryot, distribute the burden of the State with needless inequality and impose a costly machinery on the State." It is in this statesmanlike solution mainly that freedom from debt can be safely secured to the peasant in future. All other action, legislative and executive, unaccompanied by this reform, is almost fore-

doomed to failure. Otherwise it will aggravate the desperate malady from which the ryot is at present suffering. The political danger, however, of the policy must never be ignored. This aspect of the question and the economic situation which the new-fangled piece of legislation just passed is sure to educe, will have to be seriously borne in mind. They are factors which sooner or later will come home to roost, but it will then be too late. It is indeed a most unwise and impolitic policy which takes refuge in palliatives and flies away from the real remedy, which, if grappled with courage and confidence, is certain to cure the ryot of his disease of hopeless indebtedness.

I have attempted to show that the Land Revenue Bill does interfere with vested rights, in Sind, at any rate, so far as fallow forfeited lands are concerned, and that restriction on transfer of land will not be a suitable remedy even for Sind. The Bill as soon as it saw the light of day spread alarm and consternation because of its revolutionary character. The issue involved by the Bill was not, whether or not it was to be made clear that Government should have the power of granting occupancies in special cases on special conditions, as the Hon. Mr. Monteath contended, but whether or not the tenure of agricultural land was to be altered, and that by executive action. The issue was not whether power should be conferred so as to enable Government to grant alluvial lands in Sind on short leases, or to grant occupancies to specified classes of person on special terms; but whether the present tenure on which all agricultural land is held should be liable to alteration by Government in their executive capacity and whether restriction on the transfer of land would solve the problem of agricultural indebtedness. The Act permits Government to impose such terms and prescribe such conditions as in their absolute discretion they may desire to impose or prescribe, in respect of *all* lands unoccupied, whether the survey settlement has been extended to them or not. The Act would enable Government not only to grant short leases—not even only to impose restrictions on transfer, but also, if they are ever so inclined, to direct that holdings shall not be inheritable. Thus the effect of the Act is to permit Government by executive action to take away one and all the characteristics of the survey tenure hitherto guaranteed by the land revenue laws, namely, permanency, transferability and hereditability. True, the Government of the present day do not mean to exercise their *full* power under the new law, but will any one undertake to say that the Government of the future will not take a different view of the course or policy to be pursued just in the same way as the present Government take a different view from that held by Government when the Survey Act of 1865 and the Land Revenue Code of 1879 were passed? Could any one guarantee that administrators to come hereafter will not speak of the present men almost in the same terms that the Hon. Mr. Lely used in respect of the far-sighted statesmen who, after mature experience and wise deliberation in the past, gave the character of permanency, transferability and hereditability to land tenures in this Presidency, and will not say that the present men were not justified in giving "most emphatic" assurance that the "short leases are to be granted for alluvial land and lands within forest limits which from the nature of things cannot be given on a permanent tenure, and that when lands are given out for permanent cultivation on the restricted tenure the occupant will have all the rights of the ordinary occupant except the free power of transfer?" The very attitude of the present Government in regard to the declaration and assurances given to the public in

the past supplies a most conclusive answer to the question. To come in for amendment of the Act justified by new and varying circumstances is one thing; but to ask it to confer plenary powers on the Executive to alter the tenure of land at any time, without assent of the Legislature, on the assurance that the power will, for the present, be exercised only in a particular direction is quite another thing. That is undoubtedly asking the Legislature to abdicate its functions. If that is not a revolutionary procedure, I fail to see what is. And what is the reason therefore? Forsooth, says the Hon. Mr. Monteath, it would be impossible to specify by anticipation the cases in which it would be necessary to grant discretionary powers. He went the length of throwing out a challenge to the Hon. Mr. Gokhale, which he little expected would be accepted, asking him whether he will undertake within a given time to produce an exhaustive list of the cases in which discretionary powers might be conferred. And when the Hon. Mr. Gokhale boldly accepted the challenge, how was the offer met? Simply by refusing the time—even the short time asked for compliance with the challenge! Now, Gentlemen, let us examine the cases which the Hon. Mr. Monteath instanced as being impossible to meet by legislation, and he obviously must have put forward his strongest cases to sweep down the opposition and discredit it. The cases are of land required for a cricket pitch near a school or college, or for drying the boys' linen of land required for grazing, of alluvial land, of land within the forest areas, and of land for stacking fuel. These are the cases that he cited. Now a moment's reflection will show that the purposes for which land would be required to be given on special terms resolve themselves into agricultural and non-agricultural purposes. Would it have been difficult to provide two or three exceptions giving free power in case of lands not required for agricultural purposes and providing specifically for alluvial lands and for forest tribes? Gentlemen, though the Hon. Mr. Monteath may think we are lacking in the elements of reasoning we are not such ignorant fools to be deceived by such hollow pleas. The question really, as I have said before, was not one of meeting these few exceptional cases, but of giving away unlimited powers to the Executive in relation to land tenures.

The Bill also involved the important and vital question whether there is any justification for going back on the policy which has regulated the land tenures hitherto, and whether the Council should give its sanction to the new policy of Government by passing the Act. The Hon. Mr. Monteath indeed attempted to avoid discussion of the policy at the second reading of the Bill, by exhorting the members that they could not properly "vote against the Bill because they disapproved of a policy which may be adopted on the passing of it. It is open to them, as to all members of the Community, to discuss that policy; but the question whether or not it should be adopted is not to be determined in this Council. The passing of the Bill does not necessarily involve the adoption of that policy." Now one cannot help asking:—had Government determined or not on the policy before bringing the Bill into the Council; and if not, what was the occasion for adopting the unusual course of hastily summoning the Council meeting at Mahableshwar and subsequently rushing the Bill through in utter defiance of non-official opinion without giving that full, fair and reasonable opportunity to consider the many vital and intricate points involved in that "innocent looking measure," and without allowing the necessary translations to be published in time? Even now are Government

prepared to make a full and complete enquiry into the extent of the ryot's indebtedness and the causes thereof; and defer taking action on the Act until the question of what is the root cause of the ryot's embarrassment is ascertained? Not until it is ascertained by such an enquiry, that his extravagance on the occasions of marriage and other ceremonies is the main cause of his embarrassment, will it be possible to determine the remedy to be applied. If such enquiry is ever granted I would ask that it be not restricted to the Presidency proper but include within its scope my province also.

Having regard, however, to the treatment accorded to the amendment moved by our redoubtable champion, the Hon. Mr. Mehta, (Cheers) it is vain to indulge in the hope that the enquiry solicited will be granted. What did the amendment ask for? Not for any Commission which would examine witnesses but simply for postponement for a reasonable time, with a request that the opinions of Revenue officers, already obtained, may be made available to the Members of the Council, that opinions from Judicial officers of standing be invited, and also from competent native gentlemen, and public associations, also further that all these opinions be remitted to the Select Committee for their consideration and deliberation and that in the meantime final judgment be suspended. Was there ever a more reasonable request preferred? Government themselves acknowledge that the question of agricultural indebtedness is one of the most difficult and important questions—a question which has "exercised the wits" of many experienced administrators and statesmen since the country came under British rule—a question on which views "as widely as the poles asunder" have been expressed by those "who have had almost equal opportunity and power of judging." In the midst of this divergence of opinion the only justification for launching on the experiment of restricting the alienation of land, or, to be more accurate, restricting the alienation of land hereafter granted without the sanction of the Collector, is to be found in what is called "the recent trend of the official opinion" which ascribes the ryot's embarrassed condition to his facility of borrowing and which consequently suggests the curtailment of that facility by restrictions on the transfer of land as the most effectual remedy. Did not all this render it all the more incumbent on Government to, if not wait and watch the result of a similar experiment in the Punjab, at least give the public the benefit of the "recent trend of official opinion" whereon Government profess to have acted? What was the excuse or justification for refusing such an eminently reasonable request, especially when the necessity for pressing on the Bill, even according to official views, had passed away? We were told that, owing to the calamities through which the ryot had passed, "now it so happens that *there is a very large area* which on the passing of this Bill it will be open to Government to deal with *as it pleases*," and that thus there existed a splendid opportunity of "creating a special tenure in some districts on a *very extensive scale*." Now whatever the anticipations of Government in this matter were, by the time the Bill came on for second reading it was clear that very few occupancies would be available for the "interesting" experiment, and these also comparatively of a poorer class. Thus there was absolutely not a shadow of reason for precipitancy on the part of Government, and not a particle of justification for refusal of the prayer. Well, gentlemen, one cannot help feeling from the unnecessary warmth and acrimony introduced by official members into the discussion—not to say aught of the tone and temper and the unfounded misrepresentation openly made against

the non-official representatives who tried to discharge their duty to the public and to the Government alike—and especially by the Honourable Mr. Monteath, that the sole reason for refusal to comply with the request for a short respite is to be found in the fact that they have been completely taken aback by the strength and volume of the agitation aroused by the Bill, and in their keen disappointment that they are not able to start an "interesting" experiment on as extensive a scale as they fondly hoped they would. In proportion to their disappointment has been their resentment at the character of the opposition which the Bill gathered around itself. Opposition from the sowcars they, perhaps, expected, but they were not prepared for the opposition evinced by the ryots themselves, backed up as it has been by the united intelligence of the Indian community. Their equanimity has been so greatly disturbed as to render them blind to the cause which have led to this agitation, the like of which has never been witnessed before, and to cause them to turn round on the leaders of public opinion and to charge them with misrepresentation perverse and deliberate. I will not pause to take notice of such an unfounded charge but will proceed to observe that if there was an occasion for the exercise of patience, forbearance and calm judgment on the part of Government it was eminently this. The very fact of men of light and leading being arrayed on the side of the sowcar and the ryot was an additional reason for Government to pause, to give a patient hearing and to reflect a little more. (Hear, hear) We cannot but deeply deplore that Government should have turned a completely deaf ear to the plea for "patience, for caution, for sympathy and justice" and, above all, for "unbiassed candour" as our friend put it, the plea that our honorable friend urged in so eloquent terms, and a plea which was backed up by all that constitutes the reasonable and the moderate element in the Indian community, deplore it, not simply because we firmly believe that Government are pursuing a course which is sure to end in disaster to the ryot, for whose benefit the legislation has been avowedly undertaken, but because nothing is more calculated to shake confidence in the professions of Government than the attitude taken up by them in connection with the Bill and their complete disregard of the sentiments and feelings of the public in the matter. (Hear, hear). Our hopes are now centred in Lord Curzon, who we fervently pray, will be able to realise the alarm and consternation produced by the Bill, and the deep discontent engendered by the subsequent attitude of the Bombay Government, and, rising superior to the false ideas of prestige, act in a statesmanlike way, and withhold his assent to the Bill and allay the unrest that has been created. (Applause.)

The passing of the Land Revenue Bill forcibly illustrates once more the futility of the Legislative Council as at present constituted. Notwithstanding the introduction of the elective element, it still continues to be what it was once described "a magnificent sham." In speaking of the benefits conferred by the Indian Council Act and the advantages to be derived from elective franchise, H. E. Lord Lansdowne remarked that it would "secure for the Government the advice and assistance of men connected with different parts of the country, throughly aware of the interests and wishes of their countrymen and able to judge of the extent to which those interests are likely to be affected by any measure of legislation which may be proposed." Now what have been our realisations ? The non-official member are as little able to make an impression on the

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Council as they were before the elective franchise was granted. The discussion of the Budget has been long recognized to be a pure farce, and our recent experience shows how in a matter affecting the concerns of the vast agricultural population of the Presidency the opinions of gentlemen invited to assist the Council in its deliberations are set at nought. The policy underlying a Bill is unalterably settled before hand, and the only function assigned to the Legislative Council appears to be to register the decrees of the Executive Council, and the measure which was expected to give us a living and real representation has proved a delusion. (Hear, hear).

You will permit me to say a few words about the province from which I come, and the disadvantages it labours under. Sind, though nominally a part of the Bombay Presidency, does not share in the privileges and advantages which the people in the Presidency have, and this is the result of the administrative machinery in Sind being based on the principle of its being an isolated and more or less independent province.

Whilst you on the Bombay side have got a High Court constituted under Letters Patent; for Sind the highest tribunal of justice is the Sadar Court, constituted under Bombay Act XII of 1886, and presided over by a single Judge, who is recruited from the service and whose appointment rests with the Government of Bombay. Doubts having subsequently arisen as to whether the jurisdiction of the High Court still continued to exist or not, they were set at rest by the enactment of Government of India Act V of 1872, which declared that the Bombay High Court "has not and shall be deemed never to have had jurisdiction over the province of Sind" save as regards Europeans British subjects in criminal matters. Thus the Judge of the Sadar Court has practically unlimited powers—powers which in other parts are exercised by High Courts or Court composed of more than one Judge. What those powers are I need not tell you at length. Suffice it to say that he has ultimately to confirm sentences of death in murder cases; he has to sit in judgment on, and revise even the unanimous verdicts of juries, and hear appeals from acquittals; and in the domain of Civil Law he has to finally dispose of appeals, applications and references, irrespective of the amount in dispute. Such a system is an anomaly in the present age.

In the first place, it is not fair to the public, for no matter what the individual merits of the presiding Judge for the time being may be, it is impossible that his decision, however able, can command that confidence and that respect which should be attached to the pronouncements of the highest Court; nor can it be gainsaid that in matters of life and death the judgment of a single individual, however upright and conscientious, cannot possibly be accepted as satisfactory. Neither is it correct to assert, as is sometimes attempted to be said, that the public are indifferent about it. If you look even to a few of the important cases that have cropped up of late we shall realise what the public feeling in the matter is. If you turn to the defamation case instituted against the *Phoenix* you will find a question of momentous importance to the public and the press decided by a single Judge, who held that the term "good faith," which bears one meaning under clauses 2 to 8 of Section 499, bears another meaning under clause 9 of Section 499 of the Indian Penal Code. His decision comes to this, that no

matter how reliable a correspondent of a newspaper may be, and no matter how honest he may have been, still an editor publishes the facts sent by such correspondent at his risk and is liable to be punished if those facts turn to be untrue, and no question of *bona fides* or care in publication arises so far as the person who is responsible for publishing them, be he editor or manager, is concerned. He has to prove the absolute truth up to the hilt, irrespective of the care, and irrespective of the *bona fides* of his correspondent. Such a law may be correct or incorrect, but the fact that it proceeds from a single Judge renders it not easy of acceptance. Take another case that we had sometime back in which the Mukdoom of Hala, who has a large following of disciples throughout Sind and possesses considerable influence was charged with murder and tried by the Sessions Court of Hyderabad. The Sessions Judge in convicting him and sentencing him to *death* prefaced his judgment with the following remark :— " Before beginning to examine the evidence it is necessary to consider the case as a whole, the character of the accused No. 1 (the Mukdoom) or I should say his position and certain other characteristics which lift the case out of the common and render it impossible, in my opinion, to estimate the value of the evidence by the ordinary tests. I may say at once *that in most cases the evidence on the record would not justify a conviction,* not that it is insufficient but because the witnesses delayed so long in coming forward, and made so many changes in their respective stories." This is an utterance which I have not the least doubt you will regard as extraordinary for a Judge to make. The sense of insecurity created in the mind of the unfortunate person was hightened by the fact that his appeal lay but to one Judge, and that he had not the benefit of the High Court, and this feeling is manifest from the efforts he made to have the case transferred from the Sadar Court to the Bombay High Court. The case was not, however, transferred, there being no grounds for the transfer. The appeal was heard in regular course and the man was ultimately acquitted by the Sadar Court, which shows that his lack of confidence in the individual Judge was not justified. Still the case is a good illustration of the sense of insecurity that prevails on account of the peculiar constitution of the Sadar Court.

In the second place, it is not fair to District and Sessions Judges, who may, perhaps, be superior in ability and learning to the Judge of the Sadar Court for the time being, that mere accident of seniority in service should place the latter in a position to criticise and revise their proceedings.

The system is, again, unfair to the Sadar Court Judges themselves owing to the absence of a colleague with whom to discuss doubtful and intricate questions of facts and law. It often places a conscientious Judge in an awkward and embarrassing position.

So faulty indeed is the system altogether that Mr. (now Sir Raymond) West when Judge of the Sadar Court wrote a strong minute condemning it in the following terms :—

" The constitutions of the courts is in fact that which mainly determines their capacity to administer justice under this or that system of procedure with advantage to the public. The greater discretional powers vested in them, the greater the necessity that their members should be throughly versed in legal

principles and skilful in their application to novel combinations of facts . . . . The Sadar Court consists of a single officer whose decision is final in both Civil and Criminal cases. He is frequently changed for the convenience of the public service, and on these occasions there is no one left on the Bench to carry on the traditions of the Court. Common report says that, so far as the law allows, the practice of each new Judicial Commissioner differs from that of his predecessor, and it is almost impossible but that there should be great variances of policy between men who have no opportunities for personal conference. It is easily conceivable therefore that the judgments of the Judicial Commissioner in Sadar Court should have less weight than ought to belong to them as those of a principal tribunal. Some mistakes are inevitable. In my own case, I always left some embarrassment either in confirming or declining to confirm a capital conviction and sentence ; and there were many instances in which I left that the aid of a competent colleague would have given me a fuller confidence in the decisions I had to pronounce."

Since that minute was written more than 28 years have elapsed without bringing any charge in the constitution of the Sadar Court, although during this period Sind has made considerable progress in all directions. Its population, which in 1871 stood at 21,92,415 has advanced to 32,12,801, according to the recent census, thus showing an increase of 51 per cent. Its land revenue, which in 1865-66 was Rs. 31,74,537 and in 1875-76 was Rs. 35,91,445, has risen to Rs. 73,40,046 in 1899-1900. The revenue from stamps, which amounted to Rs. 3,07,814 in 1875-76 has more than doubled, being in 1899-1900 Rs. 7,63,732. Revenue from Court fees has also steadily increased, being now Rs. 4,89,313 against Rs. 2,11,949 in 1875-76 and as against Rs. 2,23,652 in 1886-87. If we turn to Registration figures for Sind, we find that the number of documents has increased from 7,545 in 1875-76 to 18,074, involving an increase in value from Rs. 30,09,571 to Rs. 97,05,395 in 1899-1900. Income tax figures shew that the revenue under that head, which in 1886-87 stood at Rs. 2,43,691, has advanced to Rs. 3,59,196 in 1899-1900. Turning to trade return, we find that the value of the seaborne trade, exclusive of the value of the Government stores and treasures, has advanced from Rs. 3,40,56,230 in 1874-75 to Rs. 16,23,45,978, in 1899-1900.

All this increase in different directions cannot but portend and increase also in the amount of litigation. The increase in the amount of work to be done and supervised by the Sadar Court is apparent from the fact that whereas in 1866 there were only three District and Sessions Judges, there are now five Judges, including the Joint and Assistant Judges, and there is still need of one more Judge. All this indicates how much Judicial work has grown, which is an additional ground for strengthening the Sadar Court.

I repeat that to have a Sadar Court composed of one Judge is an anomaly which should not be allowed by Government to continue. The Honourable Mr. Chandavarkar, when presiding at our Conference in Karachi, was so struck by this, that we find him expressing himself in these terms. Addressing us, Sind is, he said : "I feel with you most strongly in regard to the Judiciary of Sind, and I think nothing can be more reasonable than the demand of this Province that the highest Court Judicature in this province should be presided over by

more than one Judge. I do not see why Sind should be denied the benefit of the principle that all litigation should be finally decided, not by a single Judge but by a Bench of Judges, two at least in number. Even the best Judge sitting alone is likely to go wrong; more than one Judge necessarily affords a greater chance, a higher guarantee that justice will be done."

The following resolution was passed on the subject at our Karachi Conference :—"That this Conference is strongly of opinion that in order to secure a better and more efficient Judicial administration for the province of Sind it is necessary to raise the status and improve the constitution of the Sadar Court by either turning it into a division of the Bombay High Court sitting in Sind, or converting it into a Chief Court composed of not less than three Judges, and it respectfully urges that Government will be pleased to sanction a scheme for the purpose at an early date." And I would again on this occasion bespeak your support to a similar resolution.

On the administrative side we again find our destinies committed to the tender mercies of one Executive official, namely, the Commissioner in Sind, who enjoys higher powers and is more independent that any other Commissioner in the Presidency. The administrative system of Sind, as remarked by Sir William Hunter, resembles on the whole that of the Central Provinces, except that the Commissioner in Sind is subordinate to the Government of Bombay, while the Chief Commissioner of the Central Provinces is directly under the Government of India. The Commissioner in Sind constitutes the local Government in Sind in many matters, for Government of India Act V of 1868, enacted especially for Sind, empowers the Governor in Council to delegate *all* or any of the powers of the Governor-in-Council to the Commissioner in Sind as the "Local Government of the Province of Sind" whether conferred by the Imperial Act or by a local Act, with only this difference, that the powers of the Governor-in-Council under an Imperial Act can only be delegated with the sanction of the Imperial Government. As an illustration of the inconvenience of this system, I will refer you to the new Municipal Act and to the recent notification issued thereunder. The Act, as you are aware, makes a broad distinction between City and other Municipalities, and reserves the power of interference in the case of City Municipalities, in important matters to the Governor-in-Council. So also are some of the most important powers concerning all Municipalities reserved for decision by the Governor-in-Council. The Act, however, saves the operation of Government of India Act V. of 1868, so that any of the powers reserved by the Municipal Act to be exercised by the Governor-in-Council can be delegated to the Commissioner in Sind. The result of such delegation is that so far as Sind is concerned, there is practically no distinction between the City and Town Municipalities. One or two illustrations will suffice. Power to require City Municipalities to appoint the higher officials and power to veto the appointment of or continuance of such officers is delegated to the Commissioner in Sind. So also power to remove a Councillor for misconduct is delegated to the Commissioner in Sind—a power which on your side even in the case of town Municipalities the Governor-in-Council alone is competent to exercise. Thus under the present administrative arrangements the progress of local self-government in Sind virtually depends entirely on the individual views and tendencies of the Commissioner in Sind for the time being. The objections which the Presidency Association

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urged to the transfer of the control of the Municipal bodies from the Governor-in-Council to Commissioners of Divisions apply with stronger force to Sind, where public opinion is weak, and the press not strong. This is what the Presidency Association said :—"The Council beg to express their strong objections to the Government's power of control over local bodies being removed from their hands and transferred lower down to the Commissioners of the various Divisions. The proposed change, the Council apprehend, will result in making the 'outside' control more direct and less uniform, and its exercise more frequent and less restrained. In the hands of Government the control is less liable to be governed by the local official bias. Besides, it is the same over each part of the Presidency. In the hands of the Commissioners of Divisions, on the other hand, it will vary in each division and may often times assume an arbitrary form.'

As a further illustration of the disadvantages of the existing administrative system in Sind I shall refer to the Police Act and that well-known section therein which enables Government to impose protective—or shall I say punitive ?—police on any local area which shall appear to the local Government "to be in a disturbed or dangerous state or in which the conduct of the inhabitants, or of any particular section of the inhabitants, shall, in its opinion, render it expedient temporarily to increase the strength of the Police" and to levy the cost of such additional Police "by a rate charged on the inhabitants generally or on any particular section of the inhabitants of the local area." Even powers under this section have been conferred on the Commissioner in Sind ; and you require no argument from me to point out what danger lurks there in such wide powers being ever exercisable by one individual, removed from the healthy influence of the Press in the Presidency.

As an instance of how the powers have been exercised I shall refer to not an old case in which punitive police was posted against *one man* and *one man only*, and the entire cost recovered from him. The man petitioned and protested to the Commissioner in Sind pointing out of the illegality of his action but no heed was paid to his petitions and protests, and it was not until he mustered up courage to go to Court and file a regular suit to recover back the money illegally levied from him, that the Commissioner in Sind saw his error. This is no doubt a singular case, and it may be conceded that in that case the Commissioner in Sind acted from the best of motives; still it forcibly illustrates the dangers to which the people of Sind are exposed under a system which permits of such wide powers being conferred on one individual—powers so wide and fraught with such far reaching consequences to the public that they are best exercised only when collective judgment, detached from any local bias, is brought to bear on their exercise.

Another result is that the Provincial Service for Sind, both on the Executive and Judicial sides, is kept absolutely distinct and separate from the corresponding service in the Presidency proper. However unsatisfactory and disappointing may have been the ultimate outcome of the Public Service Commission which was appointed to "devise a scheme which might be reasonably expected to possess the elements of finality and justice to the people of India," still it has not been altogether barren of results. But, owing to the separate administrative arrangements, we have been unable to share with you in those results.

The consequence is that we, Sindhis, on the judicial side can only aspire to an appointment worth but Rs. 400 and on the executive side could not until very recently rise beyond Rs. 700. I say quite recently, because the other day Government issued a notification whereby the two Collectorships which had been reserved for Provincial service in the Presidency proper also have been made eligible to Sindhis along with the men of the Presidency. I am prepared to concede that that does in a measure involve an injustice to Bombay men, for I feel the fairer course would have been to amalgamate the two services with an additional appointment of a Collector or Deputy Commissioner from Sind thrown into the Provincial service. Even this throwing open of two Collectorships to Sindhis equally with the men of the Presidency does not meet our requirements. What we want is that the service in Sind should be united with the service as now constituted in the Presidency proper. Putting aside the question of the two Collectorships, the Provincial Service as now constituted for Sind contains not a single appointment worth Rs. 800 and only one appointment of Rs. 700 and the number of appointments worth Rs. 600 and 500 does not bear the same proportion to the total number of appointments as they do on the Bombay side. Coming to the Judicial Branch, we have only got 13 appointments in the Provincial Service, the highest of which, as I have said, is worth only Rs. 400. When I compare it with the corresponding service in Bombay, I find that in the Presidency proper there are the following appointments in the Provincial Service :—

2	District and Sessions Judges	worth	Rs. 1,600.
1	Register	„	„ 1,200.
1	Judge, Small Causes Court ...	„	„ 900.
1	Joint and Sessions Judge ...	„	„ 800.
2	Judges Small Causes Court ...	„	„ 800.
3	Sub-Judges, 1st Class, 1st Grade	„	„ 800.
4	„ „ 2nd Grade	„	„ 650.
2	Assistant Judges	„	„ 500.
3	Sub-Judges, 1st Class, 3rd Grade	„	„ 500.

In the matter of qualifications Sub-Judges in Sind are, I submit, in no way inferior to those in the Presidency proper, being recruited in the same manner as in Bombay, namely, from amongst Graduates of Law or from the Class of Sadar Court Pleaders, and the Sadar Court Pleaders' Examination, I may assure you, is stiffer even than the University Examination. We have only one 1st class Sub-Judge in Sind, but his regular pay is only Rs. 400, though he gets a special extra allowance of Rs. 100. There is no reason why Sub-Judges in Sind, possessing as they do the same qualifications as Sub-Judges in the Presidency proper, should be treated differently in the matter of pay and their prospects. In my opinion the best way to satisfy the legitimate ambition of Sindh's is to amalgamate the two services in Bombay and Sind, so that Sindhis may have equal opportunities with their Bombay friends to rise to the highest posts that are available in the Provincial Service.

Whatever justification there may have been for a separate system of judicial and executive administration for Sind when it was newly conquerred, when there was only one means of communication with Bombay, namely, by sea,

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when Bombay could not be reached at all seasons without difficulty, when the voyage occupied 2½ days and when vessels used to ply at comparatively long intervals, those reasons have absolutely no force in the present day when things have undergone a great change, when Sind is as much settled as any other District in the Presidency, when the sea-voyage can be performed in about 36 hours by steamers plying at not infrequent intervals, and when besides the communication by sea there is now a more direct land route, which has been recently opened and every prospect of a still more easier communication by means of the projected Sind-Bombay Railway, which it is fervently hoped will before long be an accomplished fact.

Coming to our representation in the Provincial Legislative Council, it is a matter of keen disappointment to us in Sind that of the two seats that were originally alloted to us, we should have been deprived of one. I am quite aware that the seat which has been snatched away from Sind was originally alloted to the Karachi Chamber of Commerce, which in some quarters has been designated as a mere adumbration of the Bombay Chamber of Commerce, and that that seat has now been transferred to the Central Division. I do not for a moment complain of the Central Division getting a seat, for it had a legitimate grievance, and, in getting it, it has got no more than what was due to it, but I do complain of the entire exclusion of Municipalities and Local Boards in Sind from any participation in the expansion of the Legislative Council.

Gentlemen, I shall now conclude, and in conclusion beg to thank you once more for your kindness and courtesy to me. (Applause).

The President then invited the assembled delegates to name their respective representatives for the Subjects' Committe. The names having been submitted and read out, the President adjourned the Conference till 11 a. m. of the next day. (*Vide appendix A for the list of members of the Subjects' Committee*).

SECOND DAY'S PROCEEDINGS.

Sunday 15*th September* 1901.

The Conference reassembled at eleven o'clock in the forenoon.

The Late Queen Empress and the Late Mr. Justice Ranade.

The President in opening the proceedings said: Before calling upon you, gentlemen, to move the resolutions on the agenda I shall propose two resolutions, which I have not the slightest doubt will commend themselves to you. The first resolution which I have to move runs thus:—

Resolution I.

Resolution I.

"That this Conference expresses its sense of deep sorrow, occasioned by the death of Her Majesty Queen Empress Victoria, who throughout her long and beneficent reign had evinced the greatest interest and simpathy for the welfare and advancement of Her Indian subjects." I have already touched on

this subject in my opening address and I now simply put it before you to be carried. The second resolution refers to our friend the late Honourable Mr. Justice Ranade and runs thus :—

Resolution II.

Resolution II.

This Conference desires to place on record its sense of the irreperable loss which India in general and the Bombay Presidency in particular have sustained by the lamented death of Mr. Justice Ranade, whose life was ceaselessly devoted to the service of his country in all the varied fields of progress, with matchless zeal and single mindedness of purpose."

Both resolutions were unanimously adopted.

Resolution III.

The Land Revenue Code Amendment Bill.

Mr. N. V. Gokhale moved the following resolution :—

Resolution III. Mr. N. V. Gokhale.

(*a*) That this Conference desires to place on record its profound regret that an enactment of so important a character as the Land Revenue Code Amendment Bill, involving a change in the tenure of land in the Presidency, should have been passed with extreme precipitation through the local Legislative Council, in spite of earnest and emphatic protests from all parts of the Presidency, and notwithstanding the fact that the reason, given at the first reading of the Bill for haste, had ceased to exist in consequence of the publication of Government Resolution, dated 11 August 1901; and this Conference is strongly of opinion that legislation of this character should not have been undertaken without a careful preliminary inquiry into the condition of the agricultural population of the Presidency.

(*b*) That the Conference is clearly of opinion that the Bill, so far from bringing any relief or rendering any assistance to agriculturists is likely to do them great injury by making the collection of land revenue even more stringent than it is at present, and by hastening the expropriation of those who are heavily indebted to *sowcars* ; and that the only party likely to benefit by the Bill is the Government whose revenue will now be collected with increased rigour, who, in those cases which will come under the new law, will acquire absolute ownership, for a year's assessment or so of lands worth several times the assessment, and who will in course of time be enabled to claim for the state absolute ownership of land.

(*c*) That even if Government thought it advisable to try the experiment of restricting the right of transfer in certain cases, absolutely no case was made out by Government, for taking away from lands to which the survey settlement has been extended, the perpetuity tenure which under the Land Revenue Code of 1879 is an inseparable incident of such lands and this Conference views with grave concern the wide discretionary powers which the Bill confers upon the Executive Government in the matter of determining the character of the tenure,

Mr. N.V. Gokhale

the period of leases and the amount of assessment in the case of lands which will come under the new law:

(*d*) That this Conference respectfully invites the attention of His Excellency the Viceroy to these features of the Bill and also to the grave unwisdom of passing an agrarian measure of this character immediately after the Presidency had been ravaged by the most severe famine that ever visited it and with the alarming prospect of another scarcity of famine impending over the land, and it earnestly prays that His Excellency will be pleased to withhold his assent to the Bill.

(*e*) That the President be authorised to transmit copy of this resolution to His Excellency the Viceroy by wire."

MR. GOKHALE SAID: MR. PRESIDENT, BROTHER DELEGATES AND GENTLEMEN:—Having regard to the limits of time fixed by the President, I am afraid I shall not be able to do justice to the resolution, as it will take at least five minutes to read this lengthy proposition. I believe the best way to get over the difficulty would be to take the resolution as read, as I find that it is in the hands of the delegates present. Gentlemen, I find that summary procedure is coming into increased favour everyday. It appears that not only in serious questions regarding agrarian legislation but even in the deliberations of the Subjects' Committee summary treatment appear to be the order of the day. The Subjects' Committee have by the mere force of numbers imposed upon me their will in spite of my protestations. I have been in indifferent health, but they stand no refusal. Besides I could not consent to join the rank of 'fugitives.' Under such circumstances I have become responsible for the moving of this resolution. The subject has been discussed so exhaustively both in the Legislative Council and in the public Press that I think it would be intolerable on my part to inflict upon you a lengthy speech entering into a detailed examination of the whole subject. At the same time there are certain features connected with each branch of the resolution which I think I should pass rapidly in review. Never in the history of the Presidency has any legislative measure of the local administration produced so much alarm as the Land Revenue Bill, and the object of placing this question before the Conference is to bring, as it were, to a focus the feelings and views of the people which have already found emphatic expression at various meetings held in the moffussil. The resolution, as you will see, deprecates the extreme precipitancy with which this Bill, involving far reaching issues, has been rushed through the Council in face of unmistakeable protests from all parts of the Presidency. If history teaches us any thing regarding agrarian legislation, it is the necessity of proceeding with the utmost caution and deliberation. As you all know, agrarian legislation has occupied the minds of great statesmen from the Roman times down to our own days, and the lessons of history on this subject have not been of a very encouraging character. All these attempts have more or less completely failed. In our own Presidency, the Deccan Agriculturists' Relief Act has hardly proved a success. It has scarcely fulfilled the expectations that were at one time entertained as to its capabilities. The Famine Commission has declared that, comparing the four districts to which the Deccan

Agriculturists' Relief Act has been extended with the other districts, one finds that the number of transfers of land by sale and mortgage is becoming more frequent in the four districts to which the Act has been applied. In these circumastances the question of agrarian legislation becomes, indeed, a very difficult one and our representatives in Council earnestly pressed upon the attention of Government the importancee of istituting a careful inquiry into the agricultural condition of this Presidency. Mr. N.V. Gokhale

But owing to one reason or another, Government have shrunk from undertaking such an investigation which is absolutely essential to a correct diagnosis of the causes of agricultural indebtedness. It is useless to appeal to the report of the Deccan Agriculturists' Relief Act Commission, as they never inquired into the condition of the whole Presidency. The President of the Conference told us yesterday in the course of his thoughtful address that the Land Revenue Bill had as little justification in the circumstances of Sind as in the circumstances of agricultural life in the Presidency proper. This marked divergence between official and non-official opinion demonstrates the necessity of a preliminary inquiry. But, gentlemen, not only has our prayer for such an inquiry been rejected but even the most modest amendment brought forward by the Honourable Mr. Mehta—(Applause)—has shared the same fate. That amendment was moderate in its demands and very reasonable in its tone. It simply asked Government that the Bill be referred for opinion to all District Judges, Collectors and Commissioners of the Presidency, the Chief Justice and other Judges, of the High Court of Bombay, to the Advocate General and the Legal Remembrancer and to such native gentlemen and public bodies and Associations as Government may select and that the Bill be recommitted to the Select Committee for further report after consideration of such opinions and representations as may be received in respect thereof within six months from this date, with instructions to submit their report within two months thereafter. You will see that this amendment did not ask Government to drop their Bill altogether. It did not ask Government to appoint a Commission for the purpose of entering into a protracted, and complicated inquiry into the agricultural condition of this country. It simply said "here are these eminent judicial, revenue and other authorities, let them consider this question and let the Select Committee come to a decision after taking into account these authoritative opinions." This, was, indeed, an eminently reasonable request. But eventually even that amendment was thrown out. This amendment was conceived on the lines followed by the Lieutenant-Governor of the Punjab. In my speech at the Town Hall meeting I described at length the various steps that were taken by the Punjab Administration for the purpose of gathering correct opinions on the subject of the legislation which was intended to be undertaken there. The Indian Government submitted certain proposals to the Lieutenant-Governor of the Punjab. Immediately on their receipt what His Honour did was to circulate a series of questions to leading officials and to a number of non-officials also. (Applause). He invited their opinions thereon and at the same time constituted a very strong Committee over the deliberations of which he himself presided. Then after all these opinions had been gathered and and considered the Committee made certain recommendations which formed the

Mr. N.V. Gokhale: foundation of the scheme which was ultimately embodied in the Punjab Land Alienation Act. Surely the Hon. Mr. Mehta's amendment which asked Government to follow a similar procedure and which was supported by nine councillors and the outside public should have been accepted by Government. But as a matter of fact it was thrown out and the now-historical exodus of the five elected members followed. Then, as you know, at same sitting the Bill, which was very hurriedly considered by the Select Committee without having the benefit of a single representation from a single public body, was ultimately passed through the Council when official and non-official opinion was so sharply divided upon the subject. Now where was the necessity for so much hurry? When the Bill was introduced, it was anticipated that there would be a very large area open to be dealt with by Government as they pleased. But those anticipations were discounted by the progress of events. The area for carrying out the interesting experiment diminished and Government issued a resolution suspending the recovery of arrears from *bona fide* agriculturists for one year and enabling such of them as had already their holdings forfeited to resume possession of their lands on the survey tenure after satisfying certain conditions. The reason, therefore, for rushing the Bill through all the stages had ceased to exist by the time the Bill again came up before the Legislative Council. Now going to the second branch of the resolution, I find that what the resolution says is that this Bill is not likely to do any good to the cultivators and that it is likely to result in greater stringency of the revenue system. On this point also, I do not wish to offer any lengthy remarks. I will only relate to you one incident—a very significant incident. Just before this Bill came up before the Council at Poona for the second time, a client came to me and asked me if the Bill had passed, I said "No" and asked him why he was anxious about it. He said they were so anxious because my friend the Hon. Mr. Goculdas had done them a lot of harm instead of good. I was simply taken aback. I was really surprised and wanted to know what he meant. He said the Namdar Saheb had caused Government to institute certain inquiries into alleged malpractices by certain subordinate revenue officials, and what was the result of that inquiry? The result was still unknown to the people. But the result of this Bill would be that for the purpose of paying off arrears of Government assessment people would be compelled to sell or mortgage their lands; otherwise their holdings would go into the hands of the Sirkar for ever. (Applause). Government would in this way be able to recover their revenue with the greatest case and facility. And this they said was all they got by the inquiry for which my friend Mr. Goculdas was responsible. Whether that was the object or intention of Government it is unnecessary to discuss. I for my part, knowing as I do that this Bill was under the consideration of Government for some years past cannot accept the theory put forward by the client. But it throws a flood of light on the second branch of the resolution which has been entrusted to me. The sweeping law of forfeiture as embodied in this Bill will hang over the heads of the agriculturists like the sword of Damocles, and the only way of saving their holdings from passing into the hands of the Sirkar irrecoverably will be to borrow money to pay off the assessment or sell or mortgage their holdings. That can only result in the expropriation of a good many occupants from their holdings, as it has already done, since the provisions of the Bill became widely known. In regard to the third part of the resolution, I need not say much, because, as you are already

aware, the Hon. Mr. Mehta has addressed two powerful and lucid letters to the local *Times*, discussing that portion of the Bill which bears on the question dealt with in the third branch of the resolution. Whether operation of irresistible economic laws can be checked for any length of time by restricting the power of alienation is, at any rate, a doubtful question. But there is not a shadow of justification for an enactment which changes the tenure in this Presidency in its essential character. If this Bill had proceeded entirely on the lines of the Punjab Land Alienation Act, I for one would not have been inclined to condemn outright any such measure. But this Bill is open to the strongest objection in so far that it not only takes away the right of transfer but it aims at destroying the survey tenure. It aims at taking away the proprietory rights of the people. This feature of the Bill has been rendered perfectly clear by the Hon. Mr. Mehta in his letters. The Famine Commission in that part of their report which contains their recommendations say that the power of the ryot to alienate their holdings should be restricted, but as far as I have been able to gather from their recommendations which I have read I do not find anywhere any suggestion to the effects that the proprietors of holdings are not only to be prevented from alienating their holdings but should also be deprived of their proprietory rights in case they fail to pay the Government assessment. Neither the Deccan Agriculturists' Relief Act Commission nor even the Famine Commission, as it have already pointed out, have recommended much drastic change. The report of the Famine Commission distinctly states that the Punjab Act indicates the lines on which legislation for this Presidency should be undertaken. So far as the Punjab Act is concerned what you find is that the discretion of the Executive is very clearly limited in very many particulars. In the case of the Bombay Bill the Executive Officers have unlimited discretion. The Punjab Bill leaves the proprietory rights of the people absolutely untouched; all that it does is to restrict their power of transfer. It is more consistent in its provisions and cannot prove confiscating in its operation. In fact, there is a good deal of sense in that legislation. But I find no redeeming feature in the Bombay Bill. It bears no marks of the wisdom of the statesman or the expert legislator or the far-seeing-economist. On the contrary, it carries on its forehead the impress of its obstinate and grasping parent, the Land Revenue Department. Mr. Rogers two weeks ago addressed a letter to the *Times of India* in which he said that he endorsed the prayer put forward by the people of the Bombay Presidency for not carrying the Bill through the Council with any precipitancy because he said time was needed to enable public opinion to be formed and secondly, he said that, as one of the originators of the Bombay Land Revenue Code as it existed, he for his own part regretted any attempt to alter the survey tenure as was intended by this Bill. Then Mr. Maclean, with that intuitive perception which he shows in dealing with many Indian questions, has also hit upon the real point in the controversy, and deprecated any attempt to convert the survey tenure into a terminable tenure. I repeat the Bill is of a highly objectionable character. It is neither on the lines of the Punjab Legislation nor on the lines indicated by bare executive assurances. Therefore, we pray to the Viceroy that he will be pleased to withhold his assent to this Bill. We take our stand on the assurance which he gave us in the course of his speech on the Punjab Alienation Act. He said: "We shall doubtless require to grapple with the problem of agricultural in-

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debtedness in different ways in different areas. We began some years ago with a tentative device in the Deccan; we are now proceeding with a bolder venture in the Punjab. Should we be successful in this venture we shall be encouraged to proceed." Mr. Lely in the course of his speech referred to this assurance. According to the assurance given by the Viceroy any such legislation ought not to have been undertaken until some experience had been gained by the working of the Punjab Act. But to my surprise I find Mr. Lely voting for the Bill in spite of the assurance to which he referred in his speech. Let us hope that at least Lord Curzon will not forget his own assurance, when the Bill is submitted to him for his sanction. At the Educational Conference at Simla Lord Curzon said that at any rate so far as he was concerned concealment had not been part of his policy since he took up the reins of the administration. That is perfectly true and I have no doubt that this Conference will accord to His Excellency the meed of praise which is certainly his due. He has never done anything in secret; he has tried to argue questions in a straight forward and fair manner and if the past is any indication of the future there is some ground for the hope that Lord Curzon will not be deterred from doing his duty in spite of the bugbear of prestige which is responsible for a good many political and administrative sins of commission and omission. (Applause). Failure and disappointments are the reward of Indian politicians. Let me trust that at least Lord Curzon will reward us in a different way for our sincere efforts to see the agrarian problem solved by the light of facts accurately and patiently ascertained. To use His Excellency's own words, in dealing with the agricultural question, Government are not playing with counters but handling the life-pulse of the nation. These words are fraught with a profound significance. I, therefore, call upon you to join with me in appealing to the Viceroy that he will be pleased to listen to our prayer in a sympathetic spirit and thus strengthen the moral hold he has already gained upon the mind of the people of India. (Applause).

MR. R. P. KARANDIKAR (Satara) in seconding the resolution said :—

Mr. R. P. Karandikar.

Perhaps those that remain content to assume that the opposition led and substantiated by the non-official members of the Legislative Council seem to be not for or on behalf of the moral or agricultural population of the Presidency, forget that those of them who are elected, are the chosen representatives of the District Local Boards, who are in their own turn elected by the rural or agricultural population of the several Divisions of the Presidency. It is idle to say, therefore, that those who are to be affected by the measure have nothing to say of it when these peoples' representatives emphatically denounce the Bill as perfectly unjust and completly revolutionary. To brush aside further the comments in the press and the earnest representations of the people as those emanating from persons holding the creditors' brief, is the only but a clearly unworthy argument.

The supporters of the Bill urge that the creditor is solely responsible for the cultivators' helpless position, conveniently declining to sift as to who sends the agriculturists to the creditors. Instead of collecting oral information

after contest on this points begins as to how much money is spent on marriages, officers but take the trouble to ascertain from written record of bonds and judgments in money and other suits in how many of them, the purpose for which the money borrowed is the payment of the *chavdi,* they will be doing justice both to their conscience and the people. Then, again, instead of asking for a comparison to be made between sales at the creditors' instance and those at the instance of the revenue officers for default in payment of the revenue, if but half the attention is paid to the matter with a view to finding out how many such creditors proceeded to sell the property for debts contracted for payment of revenue, much that is true, though undesirable, will come out. Surely, the number of sales effected for moneys borrowed from *Sowcars* for payment of land revenue must be logically added to the revenue sales if any comparison has at all to be instituted. Further if the State is to be likened to a mortgage holding under a foreclosure, some regard must be paid to see whether, in the case of ordinary mortgages, they are justifiably allowed both the land foreclosed and the instalments paid by the debtors or the moneys spent by the debtor on the land in the meantime, while in the case of the State getting the lands after forfeiture, it will now get both the land and the money encouraged by Government to be spent on improvements the benfits accruing from which have been so solemnly secured and promised to the cultivator by repeated Government circulars like the one issued under the signature of the Honorable Mr. Nugent—No. 3097 of 1884, dated 16th April 1884, whereby Government gave a complete assurance to occupants " that they will be secured in the enjoyment of profits of cultivation which are the result of improvements made at the occupants' cost." This assurance further received the sanction of law in Section 107 of the code. Then comes the argument that Government officers are more entitled to speak for the people owing to their larger opportunities of mixing with the people and knowing their wants. Since the abolition of the revenue in kind, it is a matter of notoriety that revenue officers have fewer occasions to be interested in the peoples' agricultural outturn, and beyond a few common-place sentences in the broken vernacular of the locality, the majority of the new Civilian Assistant Collectors can hardly do much in the matter of gaining knowledge about the peoples' agricultural condition. There may be a Desai here and a Chunilal there, or for the matter of that a Shrimant Vinchurkar somewhere, but the generality of the officers of the revenue department or their apologists, the Anglo Indian papers, can pretend to have no close acquaintance with the condition of the people than those who live in and among the people. Surely if these officers have so much sympathy for the cultivators, why do we find the anomaly in the Act as amended, in that while the alienated village holder has 12 years under Section 162 within which to redeem his attached village, there is not even a sale but simply forfeiture in the case of Government occupants. Does not retention of this anomaly suggest that the Government revenue is more cared for than the retention and continuance to the occupant of his interest in the land. Then comes the specious argument that the cultivator is an illiterate simpleton and extravagant and is therefore unable to retain any property or possess any in his land. It is not clear what answer has the Government of India to give if the British Parliament were to come down upon it very much similarly for having borrowed too much for the protection of its frontiers and for military charges. Surely it is killing the tenant with kindness to deprive

Mr. R. P. Karandikar.

him of his hereditary interest on the plea that he is incapable of managing his affairs in the manner that Government may want him to. As our worthy President remarked for Sind, the Bombay Government in 1879 went into the causes of the indebtedness of the agriculturists and clearly found that the ryot was certainly not extravagant, but that it is more the risky cultivation depending on the capricious rainfall. Lastly, comes the larger question about the ryots' proprietary interest in the soil. Much has been said about the principle being admitted that Government has the proprietary right in the waste and unoccupied land perforce in the forfeited lands. No such principle does exist irrespective of any given condition of things, nor can it be claimed as of universal application. Whatever may be said about new habitations in newly discovered parts of the world, hardly can their supposed principle be extended to lands, either waste or unoccupied, in villages in the Bombay Presidency, especially in the Deccan, having specified boundaries and a Municipal Government known as the village unit. In the case of mirasdars, and throughout the Satara District there existed and even now exists this sort of tenure (vide Mr. Ogilej's Report 1851) it is the villagers that were responsible for a certain revenue in the whole village including both cultivated and uncultivated lands. The mirasdars had property on the land and it was possible for the heads of the villages to grant miras and receive fees varying from one or two rupees and a half per bigha. These fees sometimes went to make up the defalcations of the village rent. The sale, gift or mortgage of the miras in the Deccan has been usual without obtaining the permission of Government; the purchaser was bound to discharge the village dues according to the village rates whether the land be cultivated or not. From the greater interest felt by a mirasdar in the improvement of his land, a temporary occupant seldom makes it produce so large a return as the owner, the difference was often found to be 25 per cent. Having a precarious interest in the soil an *Oopri* must be compensated by a higher immediate profit. A mirasdar seldom abandons or disposes of his Vatan but from extreme necessity. If through insolvency he do so, he meets with extreme forbearance and can regain possession on the close of any temporary lease of land. Very long dereliction is required by prescription to constitute absolute devestiture. Government can in such cases dispose of miras. Miras is also forfeited by treason or rebellion, a provision being usually allowed for his family. The mirasdar possesses immanities and privileges which make his situation superior to that of the *Oopari*. He has a voice in the village council, right of pasture on the village commons and he can build a house and dispose of it by sale. He possesses personal consequence and not being liable to ejectment is animated to exertion and enterprize in the sure prospect of enjoying the fruits of his labour. (East India Papers). Appendix to Report from the Select Committee on the Affair of the East India Company Revenue Appendix III No. 131. Revenue Letter from Bombay, dated 5th November 1823). From a similar impetus in the Satara Jahageers, where almost all land was miras, the western was the most fertile portion (vide Mr. Ogilej's Report 1851). In Poona the proportion of mirasdar to *Oopri* was as three to one. In Ahmednagar they are nearly equal. In Khandesh the number is small but that of old hereditary ryots who are nearly on the same footing is to that of temporary occupant of the soil as six to ten a revenue survey was considered as the only effectual security to the mirasdar. This was the state of affairs prior to 1832.

These were the vested interests in the land and Sir Thomas Munro in his minute para. 20 of 31st December 1824 discusses the question how far the *ryotwar* settlement destroys ancient rights and privileges and declared that when properly conducted the *ryotwar* settlement respects all privileges; to ascertain and secure them are among its principal objects. The carelessness or over-zeal of Collectors may invade them under any settlement whatever if they are not restrained by superior authority.

As regards the right of Government generally Lord Moira in his revenue minute of 21st September 1815, observes: "The right of Government is to a certain proportion of the produce of every cultivated beegha. Such has been the recognized right of the ruling power in this country from time immemorial and has descended to us entire and unimpaired."

The village responsibility was then broken into several "field responsibilities" and the joint report of Mr. Goldsmith and Lieutenant Wingate, dated 17th October 1840 winds up by recommending the fixed field assessment as of simpler execution in the first instance and likely to require fewer adjustments afterwards as interfering less with existing tenures of landed property and offering greater facilities for effecting its sale and transfer while affording to the poorer and less influential portion of the community a better protection against injustice and oppression. As regards the preservation of Indian tenures, the report in para. 34 observes the existence of proprietary rights, &c., has we are told, been denied or doubted and we can understand the feeling of surprize with what such assertions must have been received: for, however the value of this right may have been affected by taxation it is difficult to imagine over-assessment to date from a period as remote and to have been so unvarying in its nature as to have prevented this right ever rising into existence or when once risen, to have continued so long as not only to have destroyed its value but obliterated its very remembrance.

*No. 239 of 1848 dated 23rd December 1848.

In a further letter* Mr. Wingate refers to Government letter No. 5593 of 22nd September 1848 in which Government observes as follows:—

"The independence of feeling which every man ought to possess can "seldom arise when a man knows that he holds his land as it were by "an annual tenure, that if he failed to till a certain field and it be omitted "from his holding for one year, his rival may step in and deprive him of it "for ever; and probably nothing tends more to diminish such right feeling "than the inquisitional visits of Government officers inquiring what is the "extent of his cultivation and regulating the fluctuating amount of his rent." In para. 7 he further observes:

While thus securing to the cultivators a simple and secure title to his land, freedom from interference or surveillance on the part of Government officers and complete personal independence, the survey settlements may, I think, be shown to be more favourable to the accumulation of agricultural capital and its application to the improvement of the land than a system of leases for a term of years.

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Two more paragraphs are more in point for the purposes of the present discussion.

Para. 12. *The real danger to be guarded* against, as well as the greatest obstacle to the permanent success of the survey settlement will arise through an increase of the population and is described in the 36th paragraph of the Government letter under consideration "as the ultimate sub-division of the whole land into very minute occupancies accompanied by the impoverishment of the whole agricultural class." This indeed may be a remote evil but not the less requiring to be taken into consideration on that account and further reflection inclines me to think that some further provisions with a view to its timely prevention might be added with advantage to those contained in the joint report.

13. The most effective means at our command from preventing the land becoming the inheritance of a pauper or at least poverty-striken peasantry or to afford the greatest facilities for its conveyance from one party to another is that when a cultivator becomes impoverished and by his inability to cultivate his land properly deprives the community of the wealth it is capable of producing that the land may get into the hands of some one better able to turn it to advantage. The customs and revenue systems of India are adverse to such transfers and it is therefore all the more necessary to adopt measures for giving them effect. Until very lately ejectment for non-payment of the Government assessment was nearly unknown and paupers were allowed to linger on year after year in the possession of land they had no means of cultivating, the revenue officers contenting themselves with screwing out of them what they could and remitting the remainder. This was particularly the case with *miras* land in the Deccan which when the *mirasdar* was poor, generally remained in a most neglected condition and for all the benefit derived by the community from it might almost have been as well sunk under the sea.

Para. 15 further refers to the right of the occupancy being sold to the highest bidder. In that event, the sum realization shall go to defray the balance due and if more than sufficient for this purpose the portion of it remaining over should be given to the defaulter.

Para. 16 says "by thus bringing the land into the market, traders, pensioners and other parties having capital would probably be induced to lay it out in the purchase of land to the great benefit of agriculture and the community at large." He observes in the same paragraph: I am inclined to think the process for ejectment just described would prove a very *effective expedient for realizing* the revenue, &c. &c.,

The above is sufficient to point out that there are vested interests in the lands which are likely to be affected by the amendment and that the giving of the surplus at a sale to the defaulters is no accident but is indicative of his right to the land and that the law as appearing in Land Revenue Code of 1879 and as interpreted by the High Court only edified old customs and usages, and that the present amendment does not in the least modify practice but is a distinct departure from the customary law of the country and does make a radical change.

Just one word about the Section 37 of the Land Revenue Code. It is said that it enables Government's say that all waste land belongs to itself. But the expression 'which is not the property of individuals' manifestly put in for the purpose of guarding the rights of village common and village waste for which formerly the villagers as a body paid assessment, and though the village responsibility was broken, it was never the understanding of the people when the sowing came to be introduced that they had ceased to own or have interest in these waste or unoccupied lands ; and the L. R. Code was so framed as not to directly molest these long cherished rights.

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The assessment on the land has long been a vexed question as remarked by an eminent Bombay Judge in a case in one of the earlier Law Reports. It was originally known as a mere tax. Capt. Duff in his letter of 25th May 1832, remarks as to assessment being denominated tax as rent, I hitnk that depends entirely on the tenure of the occupier of the soil and whether it be made fixed or fluctuating.

It has been a vexed question all over the world. The European idea that the cultivators have no proprietary right is peculiar to the English institutions and there has been for years together a fight between this notion on the one hand and the actual state of affairs in India, but it has always resulted in a compromise in the recognition of the proprietary interest of the occupant in the land.

The practical difficulties will be very great in the way of a proper application of such indefinite powers in the collection or the execution and when the cases in course of time get numerous the collectors will find it utterly impossible to devote any appreciable time to such questions between the debtor and the creditor and bring the best intentions of Government into question. Unless therefore the whole question of the pressure on the land be considered in all its aspects it will not be desirable to thrust in a piece of legislation so liable to misinterpretation or misconception. (Applause.)

Mr. Tekchand Udhavdas in supporting the resolution said :

Mr. Tekchand Udhavdas.

Mr. President and Brother Delegates :—After what has been already said by the previous speakers in moving and seconding the resolution, I confess I have very little to say and under other circumstances would have contented myself with the bare statement that I support the resolution, but as I have a few observations to make with regard to the Land Revenue Bill in its particular relation to the agrarian interests in Sind I shall take the liberty of detaining you for a short time.

The notable features of the Bill have been fully explained to you. They are :—

(1.) The assumption by Government of power to grant leases for short period instead of in perpetuity with regard to lands that may be forfeited to them.

(2.) Restriction of the power of alienation by land-owners.

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Mr. Tekchund Udhavdas.

Now what has been said with regard to the policy of this legislative measure as applicable to your side of the Presidency applies with equal force to the province of Sind; but there are some circumstances peculiar to Sind which make this piece of legislation wholly uncalled for so far as Sind is concerned. In Sind assessment is levied on area actually cultivated and land may remain uncultivated for four years without assessment being chargeable or payable for it—but to avoid forfeiture assessment for the 5th year must be paid. If it is not paid the land lapses to Government. The land-owner however retains the right to get back his land at any time before it is offered to any one else, on payment of the 5th year's assessment. Now while under the old law the land-owner could get back his land and claim to hold it on a perpetual tenure he is liable under the new law if he forfeits his land to get the land regranted to him only on a short tenure. This is certainly an interference with "vested rights" but we are told that it is not the intention of Government to disturb or interfere with vested rights and that the power given by the Bill would be exercised by some special leases only such as grant of land for cricket ground for school children, waste or alluvial land &c., where land is only required for temporary purposes. If that was really so, it would have been very easy for any ordinary draftsman to draw up a short section in the shape of a proviso or explanation. It is opposed to all ideas of legislation to frame a general rule and to catch it in most wide terms to provide merely for a few special cases. Hitherto the practice has been to embody principles and rules applicable to a large majority of cases in one general section and to add a proviso or exception differentiating exceptional or special cases but here the position is reversed. For the sake of a few exceptional cases a general rule is enacted and (what is worse still) the large majority of cases forming exceptions to the above rule are left undetermined and we are asked to look to the intention of Government and to accept their assurances that such exceptions would be made in practice in working the rule. Intentions may be very good and assurances may be very consoling but they are rarely adhered to and past experience showed that they are honoured more in their breach than in observance, and I have it on the authority of the Hon'ble Mr. Parekh that when the Land Revenue Bill for the city of Bombay was under discussion, the mover in charge of the Bill said that the whole of the Revenue derivable from all the leases in the city would not exceed Rs. 5,000 but the case of Mr. Jannardhan *vs.* the Collector of Bombay recently decided shows that the revenue derived from *two* leases alone is Rs. 5,000. This novel mode of legislating is likely to endanger suspicion in the mind of the people and to lead them to think not unnaturally—that Government are looking further than the object which they have ostensibly put forward and so assurances held out fail to carry any conviction with them.

With regard to the restriction on the power of alienation. Now it has been said that restriction is necessary to check the extravagance of the ryot whatever may be said as to the indebtedness of the ryots in Bombay Presidency being due to their extravagance, the charge of extravagance against the Sindh zemindars is wholly unfounded and there is therefore absolutely no justification for the introduction of this Bill in Sind as avowedly the Government took this legislative step to save the ryot from his extravagance.

There are in Sind two classes of land-holders, *i.e.*, those owning small holdings called the peasant proprietors and those owning large holdings called the zemindars. They cultivate their lands themselves and generally live from hand to mouth, and in the words of Mr. Mountford "two bad seasons in succession will wither them up and bring them to the end of their resources"— with regard to this class therefore the charge of extravagance would be an absurd charge. As regards the large land-owners called the zemindars, these do not cultivate themselves but employ tillers called the *Haris* and with regard to them also we have it on the authority of Mr. Mountford, the Manager of encumbered estates in Sind that only W. P. C. of them can justly incur the epithet of being extravagant. Mr. Mountford speaks from his intimate acquaintance with the ways, means and inner life of the zemindars in Sind and his opinion is entitled to as much weight and attention as the Hon'ble Mr. Lely's on your side. Mr. Mountford repudiates the charge of extravagance against the zemindars of Sind as strongly and as emphatically as the Hon'ble Mr. Lely affirms it in respect of the ryots on your side of the Presidency and if the experience of one is relied on as justifying the introduction of the measure in the Bombay Presidency the experience of the other may equally be relied on for exemption of Sind from the operation of this legislation. To me it appears Government have not properly diagnosed the cause of the present distemper and until that is done it is useless to apply remedies which are as ill suited to the disease as they are uncongenial to the patient. I put it in language of medical men. Government is amputating the leg for fear of there being a compound fracture of bone when the patient is really suffering from rheumatic pain. This measure when introduced in Sind will lead to results not only mischievous but disastrous. A zemindar now will be unable to raise any loan on the security of his land for no money lender will advance on such uncertain security as the lands offered as security may lapse to Government under the fallow rules I have referred to above and when re-granted may have the incidents of short tenures attached to them. Mortgages will therefore disappear and sales will take their place and lands will thus pass from the hands of the agriculturists' classes and thus the new enactment will eventually bring about a result which Government is anxious to avert.

With these remarks I support this resolution. (Applause.)

Mr. Hurdevram Nanabhoy Haridas, of Surat, who also supported the resolution, said: You will excuse me if I say this is a confiscating Bill. Who wants it? I don't want it, you don't want it, the *sowcar* doesn't want it and the tiller does not want it. (Cheers.) No one knows who wants this measure. We have a Legislative Council and there were solemn proceedings to inflict this Bill upon us. It was surely an infliction, for before the official experts of the Legislative Council brought forward the Bill, I think they ought to have had some report or complaint or grievance before them to justify them in introducing this extreme confiscating measure. (Hear.) We, *Congresswallas*, are always complaining that the peasantry is indebted and poor and have demanded with the utmost persistency that an inquiry into the economic position of the people should be granted. That demand has been ever studiously avoided. How is it then that this drastic Bill, brought before us on the assumed hypothesis that our ryots are extravagant has been introduced.

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Remarkable speeches were made in the Council, remarkable proceedings took place, remarkable legal objections were taken and the Advocate General had a remarkable collapse. (Laughter)—But above all there has been a remarkable piece of evidence which my old friend Mr. Lely has produced before the world (Cheers). What does Mr. Lely say? Well, that a fellow thirty years ago borrowed Rs. 2,000 and has not been able to pay (Laughter). I say that is remarkable evidence of the poverty of the people. It means that though the man owns fifteen or twenty acres of land he cannot lay aside Rs. 70 a year to pay off the debt of Rs. 2,000. It means that there must be something else beside the *sowcar* which brings the man to this condition. If I had the time I could take up every line of Mr. Lely's evidence and show that it is utter rot (Laughter). I say the great cause of the poverty of the people is over-assessment (Hear, hear). From my own experience I say this. After allowing for the agricultural assessment very little remains for the ryot to maintain himself on and even in good times he has to follow some other occupation to maintain himself (Applause). But if Mr. Lely comes forward with his remarkable evidence as ready to prove the case he wants to prove, I throw down the glove to him and say, "Take us to the cultivator and I am sure I will prove to the hilt that it is the Government assessment alone that is ruining the peasantry of this country and killing the goose that lays the golden eggs" (Applause).

Mr. S. V. Kowzalkar.

Mr. S. V. Kowzalkar, of Bijapur, who also supported the resolution, said:—

My predecessors have so ably, brilliantly, and exhaustively handled all the possible aspects of the Resolution that if I were to try to tread the same ground I would appear like a pigmy struggling to follow in the foot-steps of the giants: a picture certainly not to be desired either from the point of view of the audience or of the speaker. So leaving alone the higher ground of a general disquisition I will do a humbler duty and confine myself to narrating one or two incidents that have been the out-come of the present Land Revenue Bill now unhappily become law, in my district.

(1.) No wonder that educated public opinion and political bodies have mustered their whole strength to bring home to Government the evil consequences of the Bill. But it is a fact worthy of note by a wise statesman that the agriculturists have joined the controversy without any incentive from outside. They seem to have intuitively smelt danger in the new remedy to help them out of the mire and straight way proceeded in their own way to express themselves to their *Ma-Bap-Sarkar*. On coming to know of the Bill the members of the Bijapur Congress Circles organized a public meeting and drafted the points of petitions to be submitted to the Government and circulated them in the District with a request that petitions in same or similar words should be sent to the Governor in Council. But the greater part of these drafts were returned with a statement that the villages addressed, had already petitioned on the subject. Where was the oft-suspected organised conspiracy to thwart Government? Where were the agitators? And where the sediton? And in a District like Bijapur? No, gentlemen, it was not the work of the so-called agitators, but the genuine expression of the most innocent and docile portion of the population of the most backward District. I have no doubt that

the same, *a fortiori*, must be the case with the more advanced Districts. Gentlemen, what does all this say? It calls on you to pause, and consider deeply and sympathetically and with an open mind. It does not tell you to hurry on in the face of the opposition coming like a flood from all the quarters of the Presidency except perhaps from the official corner of the Bombay Castle and its adherents.

Right has failed before might, wisdom before determined obstinacy; and the Bill has been carried by sheer force of numbers after trampling public opinion under foot or rather boldly ousting it from the Council Hall.

The only remedy now left to us it to appeal to the Viceroy and place before him our whole case. What the result will be, God only knows.

(2.) Now I turn to another point, *viz.*, the effect of the Bill. There is a trite saying that the child in the cradle shows the man. This favourite child of Government has revealed itself even in the conception. The mere introduction of the Bill has practically shut out the agriculturist from the money-market. In my district in has become well-nigh impossible for the ryots to get a few rupees even for the most urgent business. The *sowcars* cannot be pursuaded to part with their money on any consideration except a sale of the land out and out accompained with a transfer of the *khata*. Land are being sold largely under their market-value, and a number of pepole are obliged to seek the relief-camps which they could have avoided but for this Bill.

No doubt Government have promised to defer the operation of this Bill till the next year by which time they hope the famine would be gone. But alas! the good wishes of Government seem not to avail. No good rain has fallen upto this time in my district, and the *kharif* crops sown on the expectation of the monsoon are fast withering: from the papers we learn that in other district and provinces no brighter prospects exist. Under these circumstances, it is nothing short of killing the ryots by a remedy professedly devised to root out the disease of indebtedness which is sucking up the life-blood of the sons of the soil. No doubt the disease exists and has reached such an advanced stage that one false step, one false remedy, one false dose is very likely to kill the patient out-right. Therefore it is necessary to bring all these facts to the notice of the Viceroy and I therefore support the Resolution. (Applause.)

Mr. Vishnoo Ragoonath Lele supported as follows:—

Mr. V. R. Lele.

विष्णु रघुनाथ लेले (सोलापूर) :—

सभ्य गृहस्थहो,

पहिल्या ठरावाला मी संमति देण्याकरतां उभा राहिलों आहें. प्रश्न असा उत्पन्न होतो कीं जर सरकारानें सर्व लोकांचें ह्मणणें ऐकलें असें ह्मटलें आहे, ज्या योगानें लोकांनां त्रास होणार नाहीं अशा प्रकारानेंच आह्मी या कायद्याचा अमल करूं अशीं वचनें दिलीं आहेत, आणि लोकनियुक्त कौन्सीलरांचीं बोलणीं ऐकूनही जर हा कायदा पास केला आहे, तर मग या ठरावाची अवश्यकता काय आहे, व उपयोग तरी काय आहे? प्रश्न दिसायला अगदीं योग्य

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दिसतों, परंतु तो जितका योग्य दिसतो तितकाच तो पोकळ आहे. सरकारचीं वचनें हीं केवळ आभास आहेत. कायद्याचा अर्थ करतांनां हीं वचनें अगदीं उपयोगी पडत नाहींत. १९२६ मध्यें जर कौन्सील भरलें. परंतु १९२६ नको, त्या वेळीं सर सर्व्हेसेटलमेंट (टाळ्या) नें पुढें आणलेल्या कायद्याप्रमाणें घोड्यावर कौन्सील भरणार आहे—१९२६ च्या अगोदर जर एखाद्या सरकारी सभासदांपुढें १९०१ मधील सरकारचीं वचनें ठेवलीं तर तो या वचनांची कवडी इतकी किंमत करणार नाहीं. तो ह्मणेल हीं वचने ह्मणजे एका व्यक्तीचीं मतें आहेत,—हीं मतें कायद्याचा अर्थ करतांनां अगदीं उपयोगी नाहींत. त्यांच्याकडे पाहायचें सुद्धां नाहीं असें आमच्या वरिष्ट न्यायाच्या कोर्टाचें—हायकोर्टाचें—ठरीव मत आहे. तुह्मीं ह्मणाल सरकारी ठरावांत नमूद झालीं तर? परंतु सरकारनें ठरावांत हीं वचनें नमूद केलीं नाहींत आणि या ठरावाचा तरी भरंवसा काय? साऱ्याची माफी आणि तहकुबी याबद्दल गेल्या साहा महिन्यांत तीन ठराव सरकारानें काढले, आणि त्यांनां अगदीं विरुद्ध असें हें बिल आणून त्याचा कायदा केला शिवाय ठराव ह्मणजे त्या त्या प्रसंगा पुरते असतात, हा काय कायदा आहे? (टाळ्या) कायद्याच्या खरड्याबरोबर हेतु लिहिलेले असतात, (objects and reasons) त्यांचीही दशा वरील प्रमाणेंच आहे, फार तर काय, कायद्याच्या आरंभी (preamble) उपोद्घात असतो, तोही कायद्याचा अर्थ करतांनां विचारांत घ्यावयाचा नाहीं असे मुंबई हायकोर्टाचे ठराव आहेत, मग हीं वचनें कशाचीं? मॉंटीथ साहेबांनीं सांगावी आणि आह्मी ऐकावी व जरूर वाटेल तर पोटभर समाधान मानावें, या पलीकडे याचा काय उपयोग? (hear, hear) आमचें ह्मणणेंही सरकारानें यथातथाच ऐकलें आहे. बावन हजार सह्यांचे ७०० अर्ज खुशाल टेबलावर ढक्का न लागतां स्वस्त घोरत पडले होते. नामदार मेहेता यांची नुसती विचार करण्याकरतां मुदत देण्याची सूचना, दोन दिवस वाद चालून केवळ बहुमताच्या जोरावर फेटाळली जाते, आणि कायद्याच्या दुरुस्तीच्या कित्येक सूचना आणि दुसरें तिसरें वाचन थोडक्याशा मिनिटांत निकालाला लागते, त्या ठिकाणीं लोकनियुक्त कौन्सीलरांचीं बोलणीं ऐकलीं या ह्मणण्यांत काय अर्थ आहे. सारांश काय? कीं हा कायदा पुढें आणला त्यापेक्षां इभ्रती (prestige) चा बचाव करण्याकरतां पास केलाच पाहिजे ह्मणून केला दुसरें कांहीं नाहीं (hear, hear आणि टाळ्या).

या कायद्यासंबंधानें लोकांचा गैरसमज आह्मीं केला असें सरकारतर्फे ह्मणणें आहे, परंतु खुद्द सरकारच्या हुकमानें मामलेदाराच्या सह्यांनिशीं प्रत्येक खेड्यांत जो जाहीरनामा समजावून सांगितला गेला त्यात मनकूर काय होता? तुह्मी या कायद्याप्रमाणें नवीन (tenure) लावणी पतकरा, ह्मणजे आह्मी थकलेला सारा मागणार नाहीं, सावकार शायलॉक—जर तुमचें जमिनीवरील येणें मागूं लागेल तर त्याचें कर्ज बुडवून टाकूं (टाळ्या) आणि कदाचित् तो कोर्टांत जाऊन कोर्टाचा हुकूमनामा मिळवील तर तो हुकूमनामा बजावूं नकां, अशी आह्मी कोर्टास ताकीद करूं. (टाळ्या) आणि जाहीरनामा मात्र एकतर्फी नाहीं आणि याणे मात्र गैरसमज होत नाहीं, आणि आह्मी, आकडे व गोष्टी यांणीं जे सिद्धांत आधारानें सिद्ध करतो ते मात्र गैरसमज करणारे (टाळ्या). वर सांगितलेली वचनांची स्थिति आणि हा सरकारचा जाहीरनामा याचा विचार केला ह्मणजे खरें स्वरूप तेव्हांच दिसून येतें. सरकाराला अशा प्रकारचा जाहीरनामा काढून पाटील कुळकर्ण्याकडून त्यांची सुनावणी करवून फळ काय तर लोकमत कायद्याला अगदीं विरुद्ध आहे एवढें जास्तीच स्पष्ट झालें. सोलापूर जिल्ह्यातील एकीकडील अशा करमाळें तालुक्यांत १२७ गांवें आहेत त्यांपैकीं १२६ गांवांतील एकही मनुष्यानें नवीन लावणी पत्करली नाहीं. (hear, hear आणि टाळ्या) या एकाच गोष्टीवरून ही कायद्याविरुद्ध चळवळ विशेष व्यक्तीची नसून सर्व लोकांची आहे, असें सहज दिसून येईल. आणि तपास केला तर चोहींकडे

हींच स्थिति आढळून येईल. आणि असें असतां सरकारानें कायदा पास केला! त्यांतल्यात्यांत एवढें एक बरें आहे कीं मुंबई सरकारचा कायदा कलकत्त्याच्या लाट साहेबांच्या संमतीशिवाय ब्रह्मवाक्यत्व होत नाहीं. लॉर्ड कर्झन विचारी व्हाइसराय आहेत. आणि ह्मणूनच आपण सर्वांनीं त्यांच्याकडे धांव मारली पाहिजे, आणि त्याना ह्मटलें पाहिजे "महाराज, मुंबई सरकार तर आमचें ऐकत नाहीं, सर्व प्रकारें अनिष्ट असा कायदा ते आह्मावर लादतात, तर आतां तुह्मी तरी खरी स्थिती पहा विचार करा आणि हा कायदा रद्द करा" (hear, hear आणि टाळ्या) आणि त्याठिकाणींही दाद लागली नाहीं तर मग खुद्द आमचे पहिले बादशाह सातवे एडवर्ड यांचे पर्यंत मजल घेतली पाहिजे (टाळ्या). आह्मास थांबतां उपयोग नाहीं. राहिलेली माती तीही नाहींशी होईल.

सभ्य गृहस्थहो, मी फक्त एकाच गोष्टीबद्दल आतां दोन शब्द बोलणार आहे, लॉर्ड जॉर्ज हॅमिलटन ह्मणतात, इंग्लिशांचा अमल सुरू झाल्यापासून आजपर्यंत यंदाच्यासारखें भरभराटीचें वर्ष आलें नाहीं-आणि खरोखरच असलें वर्ष आलें नाहीं. (टाळ्या) आणि त्या साली, आवडते गरीब दिसणारे जे हे बिल (टाळ्या) अस्तित्वांत आलें आहे त्या बिलापासून आह्मां हिंदूंच्या राष्ट्रीयत्वाला-हिंदुत्वाला-धक्का बसणार आहे. (hear, hear) हल्लीं जरी अमल अगदीं थोडा होणार आहे तरी १०।९ वर्षांत या बिलाचे अमलाखालीं सर्व इलाख्यातील जमीन जाईल यांत अगदीं शंका नाहीं. हल्लींचें दुष्काळाचें चक्र कधीं सरणार कोणाला ठाऊक, पांच सहा वर्षें तर झालींच आणि यंदांचीं पिकें तर वाळून चाललीं आहेत. पाच सहाशें वर्षांपूर्वी दुर्गादेवीचा दुष्काळ पडला तसा जर बारा वर्षें याची व्याप्ती असेल तर मग सर्व संपेलच, परंतु एक वर्ष जर दुष्काळ पडला तरी सारा थकणार, आणि त्यांत नवीन लावणीबद्दल अधिकाऱ्यांचा हव्यास व आमचे दारिद्र्यांची भर पडणार, आणि यदाकदाचित् यांतूनही कोणी शिल्लक राहील तर तीस वर्षांची रिवीजन सर्वेआ पसरून उभी आहेच. (hear, hear) गेल्या पाळीला जसा कांहीं ठिकाणीं शेंकडा २०० पट सारा वाटला तसा सारा वाढवला ह्मणजे सारा थकलाच पाहिजे आणि नवीन लावणी अमलांत आलीच पाहिजे. (hear, hear) अशा रीतीनें १०।९ वर्षांत इलाख्यांतील सर्व जमीन नवीन लावणीची झाली ह्मणजे मग आमच्या राष्ट्रीयत्वाची-हिंदुत्वाची दशा पहा, हिंदुत्वाचीं अंगें दोन पारमार्थिक व लौकिक ह्मणजे ज्यांचा संबंध मिळकतीशीं आहे तो, ह्मणजे आमच्या हिंदु शास्त्रांतील दाय विभाग, पोटगी वगैरे भाग होत. जंगम संपत्ती आपल्याला माहीतच आहे किती आहे ती. राहिली स्थावर, ती नवीन कायद्यानें गेली ह्मणजे खुशाल धार्मिक कृत्यें (hear, hear) श्राद्धे (टाळ्या) करीत बसावें. एका कुटुंबांत वृद्ध आईबाप, बायको व आठ दहा वर्षांचीं मुलें व एक कर्ता पुरूष असला आणि जर कर्ता पुरूष कुटुंबाशीं बिथरला तर त्याच्या स्थावर इष्टेटीवर हल्लीं सर्व कुटुंबाचा हक्क असतो व सर्व पोटभर खातात, परंतु एकदा नवीन कायद्याचा अमल बसला ह्मणजे सर्व जमीन सरकारची, इतर सर्व भाडेकरी, आणि मग का या कुटुंबातली कर्त्या मनुष्यानें आंग झाडलें ह्मणजे त्या बायकोनें खडी फोडावी (hear, hear) ह्माताऱ्या आईबापांनीं डोळे पांढरे करावे. (hear, hear) आणि पोरानें ॐभवति (टाळ्या) करीत खुशाल पृथ्वीवर संचार करावा. (फार मोठ्या टाळ्या).

सभ्य गृहस्थहो, असा हा या कायद्याचा परिणाम आहे. या कायद्यानें आमच्या धर्मग्रंथांतील दाय भागांतील प्रकरणें काढूनच टाकलीं पाहिजे. याकरतां आह्मांस स्वस्थ बसतां उपयोग नाहीं. होईल ती सर्व खटपट केली पाहिजे. कायद्याबद्दल सरकारास इतकी गर्दी झालेली आहे, कीं आह्मी वेळ घालवतां उपयोग नाहीं. माझी अध्यक्षांस अशी सूचना व विनंति

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आहे कीं या प्रांतिक सभेचें मत तारेनें लॉर्ड कर्झन यांस कळवावें न जाणो मी इकडे या ठरावास संमति देत असेन, आणि तिकडे लॉर्ड कर्झनची संमतिची assent तार सेक्रेटरी एकमध्यें येत असेल. (टाळ्या) तेव्हां विलंब नको, होईल तितका प्रयत्न आपण केला पाहिजे, हें बिल रद्द होईल असे सर्व प्रयत्न केले पाहिजेत आणि ह्मणून या ठरावाला संमति द्यावी व हा ठराव एक मतानें आपण सर्वांनीं पास करावा अशी माझी आपणास विनंति आहे. (मोठ्या व पुष्कळ वेळ टाळ्या).

Resolution IV.

Thanks to non-official Members of the Legislative Council.

Mr. Harchandrai Vishindas.

Mr. HARCHANDRAI VISHINDAS (Sind) moved the following Resolution:—

While doubting my competence to do justice to the importance of this Resolution, I have cheerfully accepted the task of moving it, for one great reason, *viz.*, that I come from Sind. As Sind did not take part in the demonstrations and discussions connected with the passing of the Land Revenue Bill, she may be expected to form a sober unbiased and dispassionate judgment in the part displayed by our chosen representatives in the Council. And I can assure you, gentlemen, that the feeling of every right thinking man in Sind is not of mere acquiescent approval but of heartfelt admiration of the most able and courageous manner in which our leaders discharged their duties with glory to themselves and honour to theirc ountry. (Loud cheers.) I have no doubt that whole Presidency shares this feeling as the result of the voting on this proposition will show. But at the same time I feel that our leaders stand in need of no certificate of this kind as they have obtained the best possible certificate they could think of. (Hear, hear). I mean the abuse they have received from our friend the enemy. When instead of using any argument, the official apologist presses into service every available epithet, satire, and vituperation, you may rest assured that the battle has been won by the non-official members. (Cheers). You must be remembering the story of the Defendant who when asked by his lawyers for instructions, replied "No case. Abuse the Plaintiff and his witnesses." (Laughter and cheers). It is true that the Government have passed the measure. But is it really a victory on their side? Do the Government really believe to have achieved a victory? (Cries of No, no.)

Considering that in Lord Elgin's time it was openly announced that legislation in India was carried on by mandate, that Honourable members of the Executive side of the Council as well as nominated members were expected to bottle up their conscientious opinions, to cork them down and to hermetically seal them for fear of their inconveniently flying out and only nod assent to the behests from above and like marionettes to respond to the pulls at the string, what wonder that the Government should carry through any measure whatever its merits and whatever the true opinions of the majority.

One circumstance in this connection is very significant. Sir Charles Ollivant, the senior member who ordinarily should have been expected to take charge of a Bill of such momentous importance, was conspicuous by his silence. Not only did he not move the Bill but he did not take any part in the debate beyond silently voting. He left the lead into the hands of the junior member,

the Honourable Mr. Monteath, whose halting speech at the opening showed signs, as has been pointed out by the *Pioneer*, that the authors themselves had no perfect faith in the beneficent effect of this piece of legislation. There are strong indications that the Bill was launched forth under commands from above. Gentlemen, I believe the Government are conscious that theirs is but a Pyrrhic victory and the moral victory is ours. (Cheers.)

Then, there can be no two opinions on the patient labour spent by our patriotic members on the study of facts and the masterly and lucid manner of expounding them and their arguments before the Council. It would be unnecessary to labor this point any further as we have had a compliment on this score even from the enemy's camp. Suffice it to say that our thanks are particularly due to the Honourable Mr. Mehta, the Honourable Mr. Gokhale, Sir Bhalchandra Krishna and the Honourable Messrs. Parekh and Khare for the valiant stand they made on this occasion. (Loud cheers.)

Passing on from the rare ability of debate displayed by our representatives to the incident which has called forth the most furious comment, and which has been pedantically dubbed " Recessional," not only this Presidency but the whole country with one voice upholds the action of our members. (Hear, hear.) This action has been impeached as being an act of discourtesy to His Excellency—I say it is a shallow artifice to call it discourtesy to Government. It was no such thing. Every member who withdrew from the Hall made it an express point to repudiate the remotest suggestion of discourtesy. If our critics went a step further they might as well say that voting or arguing against the Bill was a discourtesy, replying to the Honourable Mr. Monteath was a discourtesy.

Then the only courteous course left would be to sit quiet and cry "*Jo hukam Sircar*" and "*huzur mabap.*" (A voice.—That is what they want and laughter.)

No doubt, gentlemen, the step taken by our Councillors was unique. But the occasion which called it forth was also unique. It was justified on the principle that " Diseases desperate grown by desperate appliances are relieved." Never before within living memory had the heart of the nation been stirred to such depths. No more revolutionary measure had ever been passed and fancy the indecent haste with which it was rushed through. The most vital interests of that portion of the population, the tillers of the soil who claim our utmost sympathy and interest, were being affected. They were being deprived of their most cherished rights of property. Small wonder, therefore, that our representatives in Council with one voice rose in protest against what they considered an act of heartless spoliation. It was mischievously urged that the agriculturist himself was in favour of the Bill in whose interests it was conceived and planned. Well our leaders said, "wait and satisfy yourself as to what the agriculturist himself thinks of the measure"—and what was it that our leaders asked? Only a short time within which to focus all the competent official and non-official opinion on the subject. And this small request was cavalierly thrust aside. All these circumstances made the event unique.

Resolution IV.
Mr. Harchandrai Vishindas.

Now when the elective principle was first introduced in to the Councils, it was hoped that although usually it would be right that Government should have a majority to successfully run through their Bills, still on occasions like this, when the most vital interests of the population were being legislated upon, the voice of the people as coming through their representatives would be recognized and paid due regard to. But instead of that what was done on this occasion ? Although the elected members were unanimous for a postponement, and they were supported by two nominated members, there appeared to be a cry in the wilderness. The elective system in such an instance reveals itself as a solemn mockery. Why should exception then be taken if our leaders beholding this exhibition of mockery, had their blood up and showed their indignation in the only possible manner in which they could by leaving the Council Hall which was much as to say " we shall have no more to do with this farce of a debate." (Hear, hear.)

Now let us see who holds a different opinion on this conduct of the members who walked out of the Hall, " *The Times of India*," " *The Rast Goftar* " and the " *Akhbar-i-Soudagir*." Now this reminds one of a story. A lady, having recently returned from a ceremony was asked to state how many people had attended the ceremony, replied, " Oh, many attended the ceremony." " Many, many attended the ceremony." When pressed further to give the names of those who attended, she said, " Well I attended the ceremony. *Rupeti* attended the ceremony. *Basar's mother attended the ceremony.*" Many attended the ceremony. Now the lady's name was *Rupeti* and she was *Basar's mother.* So that " I " " Rupeti " and " Basar's mother " although three names was really one person. (Laughter.) Similarly " *The Times of India*," " *The Rast Goftar* " and the " *Akhbar-i-Soudagir* " are but really one person to those who know, and when the " *Times of India* " gets up and poses as the organ of public opinion, we tell him " No, Sir, you have no business to pose as such. You are welcome to pour forth your choicest invective. Hurl your best and latest abuse at the devoted head of our champion the Honourable Mr. Mehta, but do not call yourself the voice of the people." (Cheers.)

For what do we find to be the result of this abuse ?

We find no skull fractured, no bones broken, not even the skin scratched. We find our champion's head safe on his shoulders, and his shoulders safe on his body and that benignant smile constantly playing on his lips to the joy and admiration of his worshippers and discomfiture of his opponents. (Cheers).

Gentlemen, therefore, to express our confidence in our leaders I call upon you to pass this Resolution with acclamation. (Applause.)

Mr. Kazi Kabiruddin.

Mr. Kazi Kabiruddin, who seconded the proposition, said :—Mr. Harchandrai has, I think, explained to you in a most able manner the way in which the representatives of the people have acted during the agitation on the Land Revenue Bill. As he has told you, at the time the most necessary and harmless amendment of the Honourable Mr. Mehta was lost in the Council nothing was left to the representatives of the people but to record their protest. The question would therefore arise, what was the best way by which they could protest against the official majority which was bent on

carrying that measure through the Council? Only two courses were left open to the non-official members, either to quietly sit in the Council Chamber or to leave the Hall as a sign of their protest against the passing of that measure. Every one of you will agree with me that sitting quietly like a dummy in the Council Chamber would not have created a favourable impression or at least would not have improved the position of the non-official members in the eyes of the public. If they could not faithfully discharge their duties the only alternative left to them was to withdraw from the Council to accentuate the protest that they had already made as against the official majority. As far as India is concerned this was no doubt an unusual and unique act, but if we go to other countries, to England for instance, or to any other country that possesses a representative Government, we will find that it is not quite unusual for minorities, or at any rate when the leading members of the minorities in those countries find that their opinions are not noticed, and that the majorities are bent upon carrying certain measures it is not unusual for them to quietly walk out of the Legislative Chamber simply to show that they are bent upon protesting. There is no doubt that it is a fact that the most cogent arguments brought forward by the Honourable Mr. Mehta were unheeded, that the most eloquent speech delivered by the Honourable Mr. Khare was disregarded, and that the speech, full of facts and arguments, of the Honourable Mr. Gokhale was left unnoticed The non-official members merely wanted an extension of time to consider the measure. They did not want Government to throw away the Bill or to set aside their policy. They believed the country had not had sufficient time to carefully consider the measure and they wanted time to be given to the public and the agricultural community to discuss the Bill. It is a pity, I say, that Government refused that very small act of courtesy, which they could very well have granted without in any way injuring the Bill itself or its object. I therefore have very great pleasure in seconding the resolution which has been proposed. (Applause.)

Mr. V. S. Khare (Nasik) supported as follows :—

I support the proposition so ably put before you by my worthy predecessors.

Gentlemen, the sweet persuasive tongue of the Honourable Professor Gokhale ; the sturdy independence of the Honourable Mr. Parekh ; the logical legal acumen of the Honourable Mr. Khare ; the bold Statesman-like conduct of the Honourable Mr. Pherozsha Mehta ; and last but not the least, the responsible utterances of the Honourable Sir Bhalchandra Krishna ought to have prevailed if a close, honest study of the question, ability, eloquence and the real intrinsic merits of a case were alone to succeed.

Brother delegates, you will agree with me that I am not exaggerating when I say that, go where you will, select wherever you can, and you cannot find a set of five men stronger, worthier, than the Honourable ones who fought our country's cause in the Legislative Council. When I say this I do not forget the great service rendered by the other four Honourable gentlemen who voted for the amendment.

Resolution IV. Mr. V. S. Khare.

Further more, Gentlemen, you will not, you cannot forget *him*, who was the first to strike the note of alarm with a power, that the very echoes filled and reverberated throughout the length and breadth of the Presidency. I mean the eminent editor of the *Kesari*.

But, Gentlemen, we cannot too highly praise the determined conduct of our Honourable friends in putting on record their emphatic protest, and showing if the Bill was to become the Law, that *they at least*, the peoples' representatives had not *their* hand in the matter.

Gentlemen, those of you that were present yesterday at the subjects-committee meeting must have noticed how our Honourable friends tried to shelve this proposion. This does credit to their modesty, but this also shows how disinterestedly they did their work. *They* have *done their duty* by the country and it is the country's turn to *do its* by *them*. The several Districts in the Presidency have each individually recorded their sense of appreciation of the splendid work : and it rests now with this Conference to record a combined unanimous recognition by the Presidency as a whole.

For this simple reason, therefore, I invite you Brother Delegates, to support this proposition. (Applause.)

Mr. Hushain B. Tyabjee.

Mr. Hushain Budrudin Tyabji, who also supported the motion, said :— After the very eloquent and feeling speeches which you have heard upon this subject, which after all does not afford very much matter for discussion, I must be excused for including myself as a supporter of the resolution, on the ground of the feeling which has been aroused in this Presidency. In regard to this most extraordinary and precipitate Bill that has been thrust upon the people. It is an extraordinary situation to consider that against the unanimous voice of the people, against the unanimous views held by the elected representatives of the people in the Legislative Council, you have thrust upon this Presidency a Bill which forfeits the land when the assessments have not been paid, irrespective and regardless of the wishes which have been expressed throughout the Presidency. The natural feelings and aspirations of the people must be dead indeed, if on an occasion of this character no feelings have been stirred amongst them, if they are regardless and listless of the voices of their elected representatives and do not support a resolution of this character, a vote of confidence in their elected representatives and of grateful recognition of the great services which have been done. There is only one thing I should like to say which has not been said by those speakers who preceded me. It was not merely the elected representatives who voted against the Bill, but there were two gentlemen who were Government nominees, Mr. Moses and Mr. Ibrahim Rahimtula. (Cheers) I will express as thoroughly as possible the depth of feeling which has been stirred by the knowledge that even in this degenerate state of Indian affairs, where the voice of the people is little regarded there are at all events some few citizens amongst us who can raise their voices and can vote in support of the wants of the people. (Applause.)

Mr. W. A. Chambers, who was cordially received, also supported the resolution. He said: Before making a very few remarks, I must offer an excuse for being here to-day—for breaking the Sabbath (laughter), but if any one is responsible for my breakage of the sabbath it is your President and your Secretary, and I must plead as a mitigation of my sin, the excellence, I hope, of my motives. We are asked to support a resolution expressing confidence and thanks for the work which your members did in the Council the other day, when they united in a strong protest against a certain measure which many of the people of this Presidency considered unjust and which they feared would be bad in operation. In thanking the members for the work they have done, we have to thank not only those who walked out, about whose action I shall speak immediately, but we have to thank those who spoke, though they did not walk out of the Council Hall (Applause). We have to thank Mr. Moses (applause), Mr. Ibrahim (applause), the Chief of Ichalkaranji (applause) and the Sind representative. (Applause.) We are told by certain critics here whose impudence is only equalled by their want of knowledge (Hear, hear and cheers) that the action taken by Mr. Mehta, by Sir Bhalchandra, by Mr. Gokhale and by Mr. Parekh was unusual. It was nothing of the kind. It has often happened in the House of Commons for when the Liberal Party have not been able to defeat a measure (and just now with a great Tory majority against them that often happens)—they have on many occasions walked out of the House. (Hear, hear.) As regards the Irish Party, well your members have not yet come up to their ideal—(laughter)—the police have carried them out of the House. (Renewed laughter.) Therefore, you will see it is beyond question that the action taken by your representatives in leaving the Council is quite in accordance with precedent and is in accordance with the conduct of intelligent men. When your members thought, as they did most seriously, that this measure was fraught with disaster to this Presidency and as they felt that an all powerful Government would not listen to them, would not grant them a little time in order that the measure might be discussed, as wise and responsible men it was their duty to cast responsibility upon the party who refused to heed them and to say "the Bill is passed against our wishes." I think in walking out of the Council, which they did with dignity, they did an act which should raise them in your estimation. (Loud cheers.) A gentleman has been good enough to put into my hand a note which throws a great light upon the ignorance and the impertinence of some of our local critics. It has given me information which though I knew it, it had passed out of my memory. The first speaker on this resolution referred to it for a moment. We are told that the Native Press in the City of Bombay—I prefer the word Indian Press—is opposed to the action taken by your members. There are quoted as authorities for that statement two newspapers. One of them I know very well (laughter) the *Rast Goftar* (Hisses.) The other is called The *Akhbar-i-Soudagar* (Prolonged hisses) a paper of whose existence I was unaware. Well as authority for the statement that the Indian Press have taken exception to the action which your members took on the Legislative Council, these two papers are held up as representative organs. Some of us have had some little connection with newspapers in India and we know exactly what is behind these two organs. Not only do we know that but we know what is behind their big brother the *Times of India*.

Resolution IV. Mr. W. A. Chambers.

When these three papers are united—and their unanimity is something extraordinary—we do not wonder because practically they are one and the same person, a sort of trinity in one or one in three (laughter). It is not necessary to mention him, you yourselves can cross the *t's* and dot the *i's*, but there is one individual who assumes to himself the position of public censor of all the gentlemen on this platform, and all I can say is that so long as the authority quoted as the censor of your members for acting in the way they have done in the Legislative Council is these three organs, realy one—it is no authority at all. (Cheers.) I have really nothing more to say. I was called in at the last moment to support this resolution. If the proceedings in the Council are not to be farcical, if they are not to be a circus in the way that one distinguished and honourable member mentioned who now has passed away, it is necessary that such action as this we are discussing should occasionally be taken. Indian gentlemen go to that Council at much expenditure of time, money and labour and it is necessary and proper that they should be treated with respect that some weight should be attached to their arguments. If that is not done then there is only one course open to them as men of intelligent views and of courage and that is to withdraw from it and leave the responsibility to others. (Loud applause.) The proposition was then carried unanimously.

Resolution V.

THE FAMINE COMMISSION'S REPORT.

Mr. Goculdas Kahandas Parekh.

The Honourable Mr. GOCULDAS KAHANDAS PAREKH, who was loudly cheered, moved the following resolution :—

This Conference notes with satisfaction that the Famine Commission presided over by Sir Antony MacDonnell has endorsed the objections urged by leading exponents of public opinion in the Presidency, against the famine policy of the Bombay Government in the matter of suspensions and remissions of Land Revenue, the concentration of famine labour on large Relief Works and the grant of relief to aboriginal tribes ; and the Conference earnestly trusts that, in all future campaigns, against famine in the Presidency, suspensions and remissions of the State demand will be liberally granted and promptly announced without inquiring into the capacity of individuals to pay ; that village works will, as far as possible, be preferred to large relief camps, and the co-operation of the non-official agency enlisted in all possible ways in administering relief to the famine-striken people and it will be given on the lines laid down by the Commission in its reports.

He said : This resolution refers to three of the recommendations of the Famine Commission. The first is in connection with the question of the suspension and remission of revenue. So far as this matter is concerned, I would briefly state the history of the question in order that it may be fully understood. Before the days of surveys, remissions used to be freely given. After the surveys were introduced, so far at all events as the Deccan was concerned, it was understood that the assessments were confined

to a low figure so that remissions and suspensions might become unnecessary. The pitch of assessment was to be kept so low that capital might be left with the cultivators and with capital they should be able to meet the State demand during times of difficulty. So far as Gujerat is concerned that does not seem to have been the case. At the time the surveys were made, Gujerat had never, within any person's memory, experienced any famine, and therefore the question of famine was not at all present to the mind of the Survey Officer in fixing the assessment on land in Gujerat. Within the time since the survey, no remissions were given at all during years of ordinary scarcity and even during the famine of 1877 no remissions were given. In the famine of 1897 some suspensions, very poor and very small, were given, and the remissions were exceedingly inadequate. At that time the excuse was put forward that because certain agitators induced the ryots to withhold the payment of the revenue, upon the ground that Government would be bound, in accordance with the provisions of the Famine Code, to remit the revenue, Government thought the revenue should be collected and that remissions should not be granted. In reference to the famine which we last experienced, Government no doubt announced in its earlier stage, that so far as the Deccan was concerned, considerable remissions would be granted because this was the second famine after an interval of only two years. So far as suspensions were concerned I may say that the treatment of the Presidency during the last famine was somewhat better than during the earlier famine; and so far as remissions were concerned it may be said that the treatment was really more liberal than had been meted out to the Presidency during earlier years. But there was one thing which took away a great deal from the benefit of the arrangements. Government in the first instance obtained from the local officers estimates of the revenue which they expected they would be able to collect within the different districts. These estimates were, at first, carefully prepared with great liberality so far as the claims of Government were concerned. But Government would not accept them and passed very strong remarks upon the officers and the proposed suspensions of over 35 lakhs of rupees in Gujerat were reduced by Government to within 17 lakhs. (Hear, hear.) The scheme which was in effect during the famine year had two disadvantages which have been noticed by the Famine Commission. One of these disadvantages was that instead of making a general order in reference to specified areas similarly affected, they made orders which made it necessary to inquire into individual cases. No man was to get any benefit by suspension or remission unless he could not pay and showed to the satisfaction of the authorities that suspensions should be granted to him and subsequently that suspension should be converted into remission. This was objected to by the representatives of public opinion in this Presidency and basing their views upon the views expressed by the previous Famine Commission, the leaders of opinion in the Presidency strongly said that the scheme the Government was adopting was not a proper one. It was urged that while the officers were engaged in a verydifficult work, while they had to work the business of saving left and relieving distress, their attention would be diverted if they had to inquire into individual cases. But Government would not listen to that and the result was that a considerable amount of oppression and suffering followed upon the orders which Government

Resolution V. Mr. Goculdas Kahandas Parekh.

had given. There were complaints of the misconduct of Government officials in connection with the collection of revenue and they ended in an inquiry, the result of which is not yet before the public. But when I say that there was an inquiry in reference to three talukas in the Presidency it is certainly not to be understood that the oppression was confined to three talukas. It was impossible to put before Government the details in reference to every taluka of the Presidency and impossible to expect Government to enter into an inquiry relating to every taluka. Therefore it becomes necessary to confine the evidence the Government wanted, to a few talukas. That inquiry disclosed that considerable oppression had to be resorted to for the purpose of obtaining the collection of Government revenue. Now one of the members of the Government in connection with this question thinks the oppression was very futile, because very little revenue was collected from the district in connection with which the evidence of oppression was given. But the whole thing is this: In circumstances of a heavy assessment, in circumstances of a succession of bad seasons, the people have been so much impoverished that the little that was collected could only be collected by practising the greatest amount of oppression. (Hear, hear). Almost every one of you who bail from the mofussil must have noticed that the way in which Government left, practically the whole management of the thing to village officers, led to a great deal of corruption and bribery. To prevent jobbery, favouritism and corruption it is absolutely necessary that in granting suspensions and remissions there should not be any inquiry into individual cases, but there should be some rule to be applied to all individuals alike who live in particular areas, where the conditions of the crops are the same. If such a rule is adopted, I am sure there would be no oppression whatever. There is another matter in connection with which I may say a word upon the question of suspensions and remissions. In this Presidency the high officers of Government look to the name of a money lender with the greatest disinclination in his favour, and in connection with the famine policy we find that wherever they thought there was the slightest chance of recovering money from a *sowcar* they pounced upon him. If you made arrangements that the cultivator would never know need, if you made arrangements that he would have no longer to resort to the *sowcar*, it would be all right to create a difference between the *sowcar* and the cultivator. But the members of the Famine Commission, and a large number of official have declared that it is impossible in the present conditions of things that agricultural operations can be conducted without the assistance of the *sowcar*. If the assistance of the *sowcar* is so absolutely necessary for the purpose of carrying on agricultural operations what would be the effect of oppressing the *sowcar*? There is nothing like a feeling of opposition ordinarily between the *sowcar* and the cultivator. The cultivator requires the *sowcar*; it is necessary for the *sowcar* that he should have the cultivator with whom he may invest his money. His existence being absolutely necessary, if you take measures oppressive of the *sowcar* the result must certainly re-act upon the agriculturist who could not borrow money on the same easy terms which he would be able to do if the *sowcar* were properly and fairly treated. That is the view that the Famine Commission have taken. (Hear, hear). It is certainly wrong to assume that every *sowcar* is a rich man. Most of the village *sowcars* are small people trading for the most part on borrowed capital,

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and if you try to ruin them it would discourage others from assisting the agriculturists during times of difficulty. These are the two important matters in connection with the question of suspensions and remissions. It is not necessary for me on this occasion to address you at any length upon the question whether the recommendations of the Famine Commission are quite as strong as they ought to have been if all the circumstances of the Presidency had been placed before them. As they are, the criticisms on the Bombay system are really very strong, but if all the facts had been placed before them, I am sure the criticism of the Famine Commission so far as the Bombay system is concerned, could not but have been scathing. The representations which have been made before the Famine Commission as to the ratio of revenue to the produce are not correct, and the Presidency deserves treatment considerably more liberal than it has received. The other question that forms part of this resolution is whether relief works should be small village works or big works. On this subject I really don't like to take up your time. The particular benefits to be gained in having small village works are fully mentioned in the report of the Commission. The advantage of having wells and tanks, the advantage of economy by keeping off people from Native States, and a number of other circumstances combine to show the great advantage of village works over other works. The great objection against the village works was that special officials would be necessary to supervise them, Government would not trust native unofficial persons. In regard to the relief of distress among the hill tribes there was considerable agitation at the time. The matter was mentioned in the newspapers and in Council and the non-observance of the necessary rules must have led to considerable mortality. If you assign an ordinary task to a hill tribe it is impossible to expect them to do it; and the result was that the hill tribes were not able to earn more than three pice a day. There was consequently, considerable mortality at that time. The Famine Commission has now made recommendations in regard to all work set for hill tribes and in regard to daily payments which should prevent mistakes similar to those which led to danger to health and the subsequent mortality. (Loud applause.)

Mr. Bal Gangadhar Tilak.

Mr. Bal Gangadhar Tilak, of Poona, who seconded the resolution, and was greatly cheered, said: After the able speech of the Hon'ble Mr. Parekh in moving this proposition I don't think you need more than a few words from me. There is one aspect of this proposition which I want chiefly to refer to: the proposition is based upon the recommendations of the last Famine Commission the report of which was published only a month ago. I want to place before you the history of this question. Before 1880 there was no Famine Code. It was the Famine Commission of 1880 that first formulated the principles of famine relief which gave rise to the Famine Codes. Before that, everything was vague. There were funds collected by private individuals as well as the funds contributed by the State treasury, and these were spent with the co-operation of private individuals. There was no settled policy by which famine relief was organized before the Code was proposed. When the famine of 1897 occurred, we had the Code here. It was the opinion of the framers that these Codes should be translated and their contents made known through all the districts affected by the famine. Government was afraid of that measure;

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at least the Bombay Government preferred to work somewhat in the dark, in spite of these Codes. The Codes were not translated into the vernaculars. All the provisions were not followed. Some were kept in abeyance and some of these ought to have been adequate in following a certain line which the Bombay Government neglected to adopt. The defects of the policy were pointed out to Government at the time. We took our stand on the Code and pointed out that Government had neglected to carry out its provisions and all those suggestions were which made about remissions and suspensions of revenue. First of all it was pointed out to the local Government that they had no efficient system of intelligence; it was pointed out that though they had correct information of failure of crops, this information came four or five months after famine had set in. The Code recommended the appointment of a Famine Commissioner but famine work was in the hands of a Secretary to Government whose work was supervised by the Council. Another defect was that the earlier works which were recommended by the Commission of 1880 were not started in time. There were recommendations in regard to the relief of hill tribes and lastly there was the question of the suspension and remission of revenue. The representations regarding these matters were not heeded and for a time at least it appeared that public opinion was powerless, or as Government put it at that time, the public must hold the views of Government, much in the same way as they say now in reference to the Land Revenue Bill. (Hear, hear.) Then came the Commission of 1897 and the various recommendations and arguments previously made were placed before this Commission. It was in favour of those representations and found fault with the Bombay Government for not having adopted especially those regarding the relief of weavers and hill tribes, the suspensions, and remissions of revenue and the appointment of a Famine Commissioner. That Commission pointed out that in regard to suspensions and remissions Government pleaded at the time that they could not do more than they did owing to an agitation originated in Poona; as if that was a sufficient reason for refusing to do anything for the poverty-striken *ryot*. When you agitate and put forward proposals that is the very ground why you are refused relief. (Hear, hear.) The Famine Commission considered this was not a proper ground for refusing suspensions and remissions in time. That was in 1898. Another famine followed in 1899 and we have now the report of the Commission that was entrusted with the enquiry into the administration of famine relief in that year. That report endorses every one of the objections raised against the Bombay Government in 1897 and I think the Commission after noting and fearlessly expressing the complaints against the Bombay Government have supported the view of the public. (Cheers.) The resolution before you, therefore, should be looked at from different points of view. It is not merely suspensions and remissions of revenue to which it refers. This resolution refers to a distinct triumph of public opinion over official opinion; it may be after four or five years: that does not matter. (Loud cheers.) But here is a Commission specially appointed by the Government of India to inquire into the administration of famine relief and that Commission has reported in your favour and I think it is necessary that you should record your opinion upon that point. In regard to suspensions and remissions of revenue you know that in 1897 the principle laid down by the Bombay Government was that those who were able to pay ought to pay and

those who were not able to pay should not be asked. Discretion was left to the Collector and village officers where to send lists of persons in these two classes to the Collector. Here are the remarks of the Famine Commission on this subject. We certainly may suggest that these words are an endorsement of public opinion by the Commission and I think as representing the public of this Presidency you will pass this resolution unanimously, because it records a triumph of public opinion in this matter. (Loud Applause.)

Mr. D. N. Nabar, of Satara, in supporting the proposition, said :—

Mr. PRESIDENT, BROTHER DELEGATES AND GENTLEMEN,—After the able speeches of the preceding speakers, it is not necessary for me to trouble you with any lengthy remarks in supporting this proposition. The advisability of granting to the *Ryots* suspensions and remissions of revenue in times of adversity has been long recognized theoretically, but has not yet been effectually brought into practice, the result being that the *Ryots* have not obtained that measure of relief in times of scarcity to which they were certainly entitled. Loud complaints have been made by the public, with regard to the failure of Government to grant suspensions and remissions; but these complaints were not listened to. A Commission had been appointed to inquire into the circumstances connected with the famine, and that commission has published its report. After hearing fully the evidence of officials and non-officials, it has come to a conclusion which proves that in the conflict of opinion between the Public and the Government, the Public were right. The Commissioners say in their report,—"That the smallness of the suspensions and remissions granted in 1897 was the most questionable feature of the scheme of relief adopted." I may for instance refer to the facts regarding the Satara District. It appears from the Commissioners' report that in the year 1897 only 25 per cent. of land revenue was nominally suspended in that district. I say nominally, because the Commissioners have found out that this was the proportion of revenue which as a matter of fact could not be collected at all. Instead of calling it a suspension of revenue, it would be much more correct to say that it was a balance which remained due at the end of the year notwithstanding every effort made to collect the whole revenue.

Another request made on behalf of the public was that suspensions and remissions must be declared to the people at the proper time, in order that they might give effectual relief to *Ryots*. On this point the Commissioners say :—"The action of the Bombay Government was directly in conflict with the principle which we consider to be vital in times of famine. Beyond a general knowledge that those who had not the means would not be required to pay the people did not know their position." The desire of Government to grant relief to agriculturists was very much frustrated by the policy adopted by them, of holding an inquiry into the circumstances of individuals. (Hear, hear.) A classification based on such an inquiry is most unsatisfactory as the Commissioners have declared in their report. It is therefore a matter of great importance that suspensions and remissions of revenue should be made to depend upon the state of the crops as the land revenue is nothing more than a tax on the produce of the land, which is to be paid out of that produce. Now that the views of the Public on this subject have been so

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amply corroborated by the searching inquiries of the Famine Commission, is it too much on our part to request Government to adopt the recommendations of that Commission, and to grant a more liberal and adequate measure of relief to the rural population in times of famine? If the Government do not adopt these suggestions, the *Ryots* will be compelled to resort to the money lender. In years of bad harvests, hard cash is a rarity. But the necessity of paying assessment creates a necessity for hard cash, which cannot be satisfied without having recourse to the money lender. Now, if there is one problem more than another the solution of which is earnestly desired by Government, it is the problem how to check and prevent the indebtedness of the *Ryots*. But by adopting a rigid revenue policy in times of famine, the Government encourages (however unconsciously and unintentionally) the very evil which it is so anxious to avoid. No doubt, it has been often alleged that the indebtedness of the *Ryots* is due to their extravagant habits. There may be individual cases of that kind. But in the case of the majority of Indian peasants, it can be most confidently asserted that the charge is wholly groundless. Is it seriously maintained, Gentlemen, that a people who wear such meagre clothing that in any other country they would be prosecuted for indecency, who eat such coarse and wretched food as would not enable a foreigner to live for a day, is it seriously maintained, I say, that these people are extravagant in their habits, because, forsooth, once in five or ten years they happened to spend twenty or thirty rupees on a marriage? There are many a thrifty and industrious peasant whose inability to pay assessment in times of famine is not due to any fault on their part. If they were allowed a breathing time, they would pay up the arrears in good seasons if Government would wait till then. But if they are not granted suspensions and remissions of revenue at the proper time they resort most unwillingly to the *Sowkar*, as the last means of preventing a forfeiture of their lands. If they do not do so, they undergo the risk of losing their lands, and not only their lands, but also the improvements which are the result of an outlay and labour, not of one year or two years, but of several generation. With these remarks, I beg to support the proposition. (Applause.)

Mr. Laloobhoy Samaldas.

Mr. Laloobhoy Samaldas, who also supported the resolution, said: he could quote some paragraphs from the Famine Commission's report to show that the general complaint against the Bombay Government had been proved. In Bombay, the Commission said there is at present no system of suspensions and remissions. (Applause.)

The resolution was carried unanimously; and at this point the Conference adjourned.

The Conference re-assembled at 3 P. M.

Resolution VI.

Sir Bhalchandra Krishna, Kt.

The Honourable Sir BHALCHANDRA KRISHNA, KT., who was loudly cheered.

Mr. PRESIDENT, BROTHER DELEGATES AND GENTLEMEN,—The Resolution which as been entrusted to my care runs thus:—"This Conference

regrets that Government have not yet seen fit to place before the public the results and proceedings of the enquiry which Mr. E. Maconochie was appointed by Government to conduct."

In moving this resolution I have only to make a plain statement of facts and it is not my wish to appeal to your sentiments. You perhaps remember that three letters appeared on the 18th of July and 3rd and 4th of August of 1900 in the *Times of India* over the *nom de plume* of "Gujrathi" mentioning instances of the irregularities and improper practices attendant upon the collection of revenue in some Talukas of Broach and Surat. Whereupon the Honourable Mr. Monteath wrote to the *Times of India* stating that Government could not attach any importance to such unanimous letters, although the *Times* had assured him that it had ample evidence on the point. A few days after, the Government ordered a departmental enquiry. The Collectors reported that the allegations were entirely baseless. These reports with a Government resolution were placed on the Council table on the 24th August 1900, at a meeting of the Legislative Council at which the Financial Statement was discussed. The Honourable Mr. Parakh and the Honourable Mr. Gokhale both made pointed references to these irregularities and harassing improper practices. His Excellency Lord Northcote in his speech challenged both these gentlemen and asked them to produce evidence. Mr. Gokaldas Parekh took up the challenge and submitted his now famous letter to the Government on the 13th September 1900. Within a fortnight after this the Government issued a resolution appointing Mr. Maconochie to conduct the inquiry. This energetic officer commenced the inquiry on the 15th November and the Broach enquiry was completed on the 19th December 1900, and the Surat enquiry on the 1st February 1901. It is a matter for regret that whereas the Famine Commission of Sir Antony MacDonnell which was appointed in December 1900 after this enquiry, has already submitted its report, nothing has yet been heard about the result of this enquiry. Certain facts have come to my knowledge, which indicate the spirit in which the Government have approached this enquiry. In the case of Paramar Village the charge was that an agriculturist's bullock was attached. That he made a written application to the Collector to release the animal from attachment. That the Collector would not remove the attachment but asked the applicant to take back the petition otherwise he would lose the value of the Stamp (Re. ½). Thereupon the applicant took back his petition and sent to the Commissioner with another application to the address of that officer. The petition then went to and fro between the Commissioner and the Collector. The petitioner had his bullock sold in the meanwhile. Till about the day on which the sale was to be confirmed, the Commissioner's reply did not come; having then no alternative he sold his bullock and paid the Government dues out of the proceeds. This was one of the cases which was for enquiry before Mr. Maconochie, but Government issued a resolution on the case in December last upon the reports of the Mamlatdar holding the attachment justified; the same grounds urged in the report were never mentioned in Mr. Maconochie's enquiry and the applicant was in the course of his cross-examination asked no question in reference to them; these grounds were inconsistent with the defence suggested before Mr. Maconochie. On the issue of the Government

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resolution Mr. Gokuldas wrote to them that as the case was *subjudice* and as he was connected with the enquiry they should have given an opportunity to him to give an explanation before coming to any decision, and that if they permitted him he would produce evidence which would induce them to reverse their decision. But they gave him a curt reply that his assistance was not needed. (Hear, hear.) They recently caused some witnesses to be examined by the Mamlatdar of Ankleswar without any notice or intimation to Mr. Gokuldas. During the enquiry the Ankleswar Mamlatdar with reference to some material questions was called to produce documents from his office. He answered that he could not find them. The Mamlatdar is dead and since his death about 80 files of official documents have been sent up by his heirs from his residence at Mohudha in the Kaira district where they had been taken to. It is but fair that in the interest of justice Mr. Gokuldas should know what these documents contain and that he should be allowed to examine them and put in such documents as are relevant to such enquiry. Let us hope that the Government will see their way to publish the results of the enquiry soon and handsomely acknowledge the very valuable and self-sacrificing services which the Honourable Mr. Gokuldas has rendered to them and to the public. With these few observations I place the resolution before you for your acceptance. (Applause.)

Mr. K. M. Jhaveri.

Mr. K. M. Jhaveri, in seconding the resolution, said: The mills of Government grind proverbially slow. You know that a recent resolution of Lord Curzon has gone over the working of what is called the Circumlocution Office and to that we owe it that the report of the Famine Commission has seen the light of day while the report of Mr. Maconochie's inquiry which is of some importance to our Presidency has not yet been made available to the public. It is to be hoped that Government will soon give us the result of that inquiry which we think will have but added one more laurel to the laurels already won by our friend Mr. Gokuldas Parekh and will throw aside the imaginings of those trusty hench men of Government, Rao Bahadur Chunilal Venilal and that extremely ingenious gentleman from the Deccan the Honourable Mr. Desai. (Applause.)

Mr. Sorabji Eduljee Warden.

Mr. Sorabji Eduljee Warden supported as follows:—

The resolution which I have pleasure in supporting is so clear and concise that I need not take up much of your time more especially as the subject of it leaves me no scope to further dilate on it. The inquiry which the Bombay Government were pleased to order Mr. Maconochie to make, related to the distress on the *ryots* of certain talukas in Guzerat who had complained of heavy assessment. So far as we can ascertain the inquiry was made some time in February and finished in April last and the result of it communicated to the Government in about August last, but as yet neither the report nor the resolution of the Government on it is made known to the public. It must be said that the inquiry had a very marked bearing on the Land Revenue Bill which has just been passed by the Bombay Legislative Council. Had the result of the inquiry been made public, we should have known how far the complaint of over assessment was really based on facts. If the complaint was found on inquiry to be groundless, it is presumed Government would have used it, as an

additional support to their action in the hasty passing of the Land Revenue Bill in spite of the very general cry all over the country against such a sweeping measure being passed without adequate inquiry. (Hear, hear.)

It is an ordinary inference that when a piece of evidence which if produced could go against the party bound to bring it forth, and is not brought forward the presumption is that such evidence is not of a nature to support the cause of the party keeping it back. On this presumption it would be not far wrong to say that the result of the Guzerat inquiry presided over by Mr. Maconochie establishes the complaint that in Guzerat, the *ryots* have been suffering from heavy assessment.

At times Commissions appointed by Government are proverbially slow in submitting their reports. The incident of the Welby Commission on Indian Expenditure, is quite fresh in our minds as the report of that Commission was not published full two years after the enquiry was completed. And it would be no way surprising if the report of Mr. Maconochie's inquiry be not published for a twelve months' time. We Indians are proverbially patient and it would certainly add much to our credit were we to yet patiently and hopefully wait for the report. Let us now trust that Government may be induced to publish it at no distant date the result of that inquiry. In order to make it clear how lightly Indian administrative questions are considered. I may here give in brief a story told to me by a friend in England. A person was suffering from very serious headache, for which he had tried various doctors, but none could give him the desired relief. At last he was advised to consult a specialist whose remedies were believed to be very drastic. He called upon the specialist, who examined him and said, "My good man, you are suffering from a serious malady ; but I feel confident of curing you provided you can follow out my treatment." In sheer desperation the man consented. He was placed under choloroform and his brains were removed. In regaining conscious the doctor told him that he had removed the brains, which he will thoroughly cleanse and asked the man to call after a week. Soon as his brains were removed he felt himself light in the head, the pains having disappeared and he left the doctor with a cheerful face. His brains were in the meanwhile cleansed and put in perfect working order. But the man did not call for them within the week's time as he was told to do. The doctor became anxious,made inquiries about him, but could not trace the man without the brains. He had to await his return. Sometime after the brainless man turned up and the doctor in his astonishment asked him, "My good man, what have you been doing all this time without your brains ?" He replied, "Doctor, be easy on that point ; for ever since you removed my brains, I succeeded in getting a Government appointment, where I have got on very well without my brain. Please, therefore, to keep my brains with you till I again stand in need of things." (Cheers.) So saying he left the doctor ! I have given you the story as it was told to me and it is for you gentlemen to draw the moral. (Applause.)

Resolution VII.

THE PROVINCIAL CONTRACTS.

Resolution VII. The Hon. Prof. G. K. Gokhale.

The Honourable Professor G. K. GOKHALE, who was loudly cheered, moved :—

That, in the opinion of this Conference, the time has arrived, when a further step should be taken in the matter of Financial Decentralization by leaving the responsibility of the Financial Administration of the different provinces principally to the Local Governments, the Supreme Government receiving from each Local Government only a fixed portion of its revenues, levied in accordance with some definite equitable principle, which should not be liable to any disturbance, except in the cases contemplated in Lord Ripon's Resolution on the subject, so as to secure to Local Governments that fiscal certainty and that advantage arising from the normal expansion of the revenues, which are so essential to all real progress in the development of the resources and in the satisfactory administration of the different provinces.

He said :—In speaking to this resolution I have one great advantage and it is that there is practical unanimity not only among natives and non-official critics on the subject but the view expressed in the proposition is shared by many of the officials themselves. Only the other day a big meeting was held in Madras and adopted a resolution on somewhat similar lines. This unanimity renders my task somewhat simpler than it would otherwise have been, for if the subject had been a contentious one it would not have been possible for me to place the subject in all its aspects before you in the ten minutes to which I intend strictly to adhere. I will not trouble you with figures because this is not the occasion to go deep into such matters. I confine myself to the broader issue involved in the consideration of this question. I will divide my remarks on this subject under three heads. First of all I will tell you briefly what are these Provincial contracts; secondly, I will tell you what the defects of these Provincial contracts are, what inconvenience arises from the present system of making these contracts and thirdly, I will come to the remedy which we propose. It was in 1870 that the Government of Lord Mayo first conceived the idea of decentralising finance in certain directions with the object of reducing the pressure then felt on the Imperial Exchequer. The object stated was to encourage the local Governments to take more interest in certain branches of finance; but the items made over to the Local Governments were those, such as education and medical relief in regard to which expenditure was increasing by leaps and bounds and in regard to which the Imperial Government thought it necessary to take steps to check that expenditure. Certain fixed contributions were placed at the disposal of the Local Governments in order that the items made over to them might be met. After seven years a further step was taken in this matter of decentralisation. Sir John Strachey was then the Finance Minister and the Government of India acting on his advice made over to the Local Governments certain items of receipt. These did not balance the items of expenditure but it was a step forward, if only a tentative one. In 1882 when Lord Ripon was Viceroy, a further step was taken and it is on the basis on which Lord Ripon placed the question of

decentralization that it exists to-day. He went further than his predecessors and while he kept certain revenues as exclusively Imperial, such as, salt and opium, and set aside certain revenues as purely provincial, our other revenues were divided in certain proportions between the Imperial and Provincial Government. The balance against the Local Governments was redressed by the grant of a lump sum from the Land Revenue.

It is twenty years since that step was taken and during that time I regret to say no further move forward has been made. There are revisions of these provincial contracts every five years. The fourth revision is due this year but it was announced the other day that there would be no revision this year because the financial resources of the Province have been exhausted by famine. Every five years the Government of India revises the contracts practically at its own discretion. Nominally, the proportions are there; but in the lump sums placed at the disposal of the Local Governments, account is taken of the expansion of revenue. If you look at the figures of the Bombay Presidency for the last three contracts, you will see that each new contract has been put at a figure much smaller than the figure of the previous contract. Sir Alexander Mackenzie described this system as not only wrong but demoralizing. Speaking in the Bengal Legislative Council he said :—" I must say I deprecate the manner in which these quinquennial revisions have too frequently been carried out. The Provincial sheep is summarily thrown on its back, closed clipped and shorn of its wool, and turned out to shiver till its fleece grows again. The normal history of a Provincial Contract is this—two years of screwing and saving and postponement of works, two years of resumed energy on a normal scale and one year of dissipation of balances in the fear that if not spent, they will be annexed by the Supreme Government, directly or indirectly at the time of revision. Now all this is wrong, not to say demoralising. I say the Supreme Government ought not to sheer too closely each quinquennium. It is as much interested in the continuity of work as at Local Government and ought to endeavour to secure this and avoid extreme embarrassment of the Provincial finances * * * It would be an immense gain to local administration, if the Government of India could see its way to renewing the contracts with as little change as practicable on each occasion. It is only in this way that the element of fiscal certainty which was put forward in 1890 as one of the main objects of decentralization, can be secured. Hitherto we have had but little of certainty." A similar protest was made last year by the Lieut.-Governor of the N. W. P. from his place in the Legislative Council of that Province and this year the Government of Madras has addressed a very strong remonstance against the surrender of an additional 24 lakhs of Rupees a year demanded by the Supreme Government.

The inconveniences and the disadvantages of the present provincial contracts may be said to be four. In the first place we find that owing to the unlimited discretion which the Government of India have in this matter they are able to take on these occasions much more than they really should for their own purposes and leave a correspondingly small portion at the disposal of the local Government. Of the total revenue raised a little more than two-thirds are appropriated by the Government of India and one-third or a little less is left to the local Governments entrusted with the entire administration of

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the country. We believe that this is not a just disposition of the revenue which the people contribute to the State. (Hear, hear.) Secondly, we find there is no equitable principle on which these contracts are based. We find that the Northern Provinces and Madras are treated much worse than all the other Provinces. We are much better off than the North-West Provinces and Madras, but are worse than Burma. We get about half but Burma gets much more than half. It is only fair that there should be some definite equitable principle which should regulate the contributions from these different provinces to the Government of India. It is argued that this inequitable character of the contributions of the different provinces is due to the fact that when the scheme of decentralisation was passed in 1870 there was no inquiry made into the resources of the different Governments or their intentions but the standard of expenditure then reached was accepted for future guidance. As Sir John Strachey has said, that local Governments were only like so many departments of that Government of India and the contributions given to them were not regulated by their needs but by the clamour raised and those who shouted the loudest got the largest share. The other objection is that the revisions every five years leave everything uncertain, leave everything with the Government of India who not only determine the amount the local Governments should have but claim the extraordinary power of levying contributions. I may admit that during the last few years the Imperial Government have made contributions instead of levying them but they have claimed the power to attach our surpluses. Fiscal uncertainty interfere with the progress of the country, and the local Governments have been complaining that the five yearly contracts make for that uncertainty. These same Governments however decline to believe us when we say that the thirty years settlement introduces an element of uncertainty into the agricultural industry and should be permanent. The Government of India is able to dictate its own terms to the local Governments, and the local Governments being powerless there is an effective check on their expenditure. If they are inclined to be extravagant the Government of India comes down upon them; but there is nothing to effect a corresponding check on the Government of India. The expenditure of the Government of India has gone on unchecked, whereas the useful expenditure of the local Government has sometimes been stopped and the results have been disastrous. That is the fourth defect; that there is no check whatever on the expenditure of the Government of India which is needed more than in the case of the local Governments. It is to meet this that we propose the remedy mentioned in the resolution. It is a simple one and it has commended itself to thinkers, both native and European. Four members of a committee recorded a note on this subject of provincial decentralization and with a view of putting some sort of check on the expenditure of the Government of India they proposed a scheme somewhat similar to that indicated in the resolution. Our scheme is that the local Governments should be left free to administer the finances of their Provinces in such a manner as they deem best. I would propose that the appropriation should be 50 per cent. for the local Government and 50 per cent. for the Government of India. (Hear, hear.) The result would be that the normal expansion of revenue would be distributed between each and the Government would be able to make larger contributions for the purposes they require to carry out. The scheme that we propose is that the Government of India ought to take a

certain proportion but what that proportion is to be has to be fixed; it might be high in one Province and low in another, but there would be a check on the expenditure of the Government of India. Of course, we provide in the scheme for extraordinary occasions: when, for instance, war is likely to take place or on some other extraordinary occasion the Government of India may make demands with the permission of the Secretary of State. On the other hand when local Governments want special assistance as in the case of a big famine or when plague ravages the country, they require contributions for these purposes from the Government of India and the matter could be adjusted amicably between them or referred to the Secretary of State. It might be asked by some people who are rather cynically disposed, "What is the good of our suggesting that the local Government should receive so much and the Government of India so much? It is as though we were asking that so much should be put in one pocket and so much in another when both pockets belong to one person." The reply to that is that the people of the country are interested much more in the expenditure of the Local Governments than in that of the Imperial Government. The expenditure of the Imperial Government is divided under the heads of the army, military expeditions on the Frontier, and expenditure on railways which in the opinion of some help only to export produce from the country. We are all more intimately concerned with the local Governments and certainly have more interest in larger revenues being placed at the disposal of the local Governments than at the disposal of the Government of India. Increased provision is needed for education, for a more efficient police for the better development of the resources of the country and on other heads and therefore as persons interested in increasing the resources at the disposal of the local Governments we should watch jealously every increase in the expenditure of the Government of India. (Applause.)

Mr. N. M. Samarth seconded the resolution. He said: I do not think I need add much to what has fallen from Mr. Gokhale. For myself I am certainly in favour of what is known as Lord Mayo's decentralization scheme, but I regret that that scheme has not been fairly and fully tried in this or the other presidencies in the spirit in which it was conceived by that great statesman, Lord Mayo. As you will remember, when this financial decentralization scheme was first started, decentralization was to be introduced also in regard to the assignments of provincial sources of revenue to local bodies so that the people might have a direct voice in the distribution of the taxes raised from them. But although that has not been entirely carried out, in so far as it has been carried out there has been a failure of the principle on which it was based. It was intended that local Governments should have a more direct interest in the sources of revenue, but on account of the Government of India not having husbanded their resources they took away the surplus which would have been available for the spending departments of the Provincial Government. The Provincial Government, no doubt on account of the stimulus given to increase the amounts from the existing sources of revenue, which caused no doubt very much suffering in the Presidency, had at the end of the third contract something like 55 lakhs of rupees in the 24 Provincial treasuries. The Government of India came down and swept away 20 lakhs of rupees. Not only that, but

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I believe in 1886 some 17½ lakhs were taken away from the Provincial treasury. Dr. Livingstone, the celebrated African traveller, has described some of the birds which he saw during his travels. He describes a bird which is a kind of pelican which catches fish by the river side. On catching the fish it puts them into a sort of pouch, or purse below its bill. He also describes another kind of bird called a fish hawk, which all the time hovers over the pelican and the moment the fish is put in the pouch, down it comes with a swoop and takes away the fish and the poor pelican has to set to and catch another. (Laughter.) I believe that aptly describes the position in which the Provincial Governments find themselves in regard to this matter. The question is how best to check or stop this scheme of the honourable officials? Mr. Gokhale has already told you that the root defect in the matter is that while the Provincial Governments are under the direct control, in financial matters, of the Supreme Government, the Supreme Government in its turn is practically under nobody's control. The Provincial Governments have quietly submitted to inroads on their exchequer and this it has been going on all these years to the detriment of the best interests of the Province. The question is how best to put a stop to this game? What are the remedies suggested to control the Supreme Government's expenditure? I personally think that no effective remedy is possible until side by side with this decentralization there is an organized confederacy on the Council in which the Viceroy and the Provincial representatives sit and the wholesome rule enforced that no demand should be met until passed by a majority of that Council. Such a suggestion, however, must come from public opinion in England as voiced in the House of Commons. The other proposal in the resolution is that there should be a fixed proportion beyond which the Supreme Government in their inroads on the local treasuries should not extend. If this were done we should have due provision made for education, technical education and other requirements that are badly needed in the best interests of the Presidency. (Applause.)

Prof. D. J. Padhye.

Professor D. J. Padhye said :—Mr. President, ladies and gentlemen :—It must be, I consider, a merciful Providence that has put me down only as a supporter of a proposition, which was to be moved and seconded by speakers of such power and eloquence as the Honourable Mr. Gokhale and Mr. Samarth. They have already given you a lucid account of the system which the Resolution in hand asks you to condemn. The central fact to be borne in mind is that it was with a definite aim and purpose that Lord Mayo's Government inaugurated the system of Provincial contracts in 1870. They wished it to lead to economy both in the Imperial and Provincial administrations. They expected that it would introduce the element of certainty in the relative interests of the Supreme and the local Governments in the national revenue and expenditure. They thought it would thus lead to concord and harmony. Above all, they aimed at a real development of Municipal institutions, paving the way to a closer association in the administration of the European and Asiatic elements. In one word, their policy was one of true decentralization, as such, leaving each Province free to work out its own destinies in regard to internal development, moral, material as well as political. Such were the high aims, such the declared policy, with which the system of Provincial Contracts was inaugurated. The

infant thus started on life grew up in spite of the distinctly retrograde tendencies of the Lytton-Strachey *regime* and attained to full manhood and vigour in the ever memorable epoch of progress and reform with which the names of Lord Ripon and the then Major Baring, of ever beloved memory, are so closely indentified. (Cheers.) They made the Provincial contracts a reality, not only by equitably adjusting the revenue, &c. expenditure between the Supreme and the local Governments but also by paving the latter an elbow room to develop their resources and reap fully the benefits of the savings or additions to income they might make. Under their system a few heads of revenue as well as expenditure remained either exclusively provincial or imperial. The majority were equitably divided between the Local and the Imperial Governments and about 60 *per cent.* of the land revenue was assigned by way of adjustment to each provincial exchequer. The local Governments had thus a direct interest in the growth of revenue; and if they saved and economised in one direction, or in one year, they could be liberal in another. But unfortunately a new era began with the Viceroyalty of Lord Dufferin and a policy of continued military aggrandisement together with a number of difficulties, many of them of their own creation, brought so low the coffers of the Imperial Government that they were forced to adopt the devices of the reckless spend-thrift who stoops to everything to gather money but whose purse is always bound to remain empty.. There came on then the conquest and annexation of Burma, and because of it, a permanent addition to the military establishment of the country. Then came the famine, the bug-bear once more of a Russian invasion, grand military displays and preparations, parleys with the Amir and the policy of wanton aggression amongst the frontier tribes leading to a never ending string of harassing punitive expeditions. Meanwhile, the rupee was fallling down; and whilst the Home Charges grew apace, the Government resolved in their wisdom to saddle the country with Exchange Compensation Allowance. New taxes were established, but the abyss was too deep to be so filled, and in their despair, the Government of India, swooped down upon the allotments to the Provincial Governments, reversing entirely the policy inaugurated under Lord Mayo and perfected under the fostering *regime* of Lord Ripon. It was like the improvident father who tells his son to earn but leaves him nothing but a bare maintenance, just sufficient to keep body and soul together. And that too in years of plenty and prosperity. It was in various ways that the screw was tightened on the resources of the Provincial Governments. More heads of expenditure were transferred to them and from time to time special contributions were levied which swallowed up the savings they had made. At each renewal of the quinquennial contract, care was taken to estimate with the greatest stringency the minimum necessary for Provincial expenditure and allot no more than the minimum thus ascertained. The consequences of a short sighted retrograde policy of the kind could not but prove disastrous. The local Governments had no elbow room, no interest in making savings, no motive to increase the revenues, no incentive to develop their resources. All that they could hope to retain was the minimum alloted, all protests and complaints notwithstanding. Instead of harmony and concord, came on perpetual heart-burning and unseemly quarrels. That, ladies and gentlemen, must be regarded as a remarkable consequence of the reversal of Lords Mayo's and Ripon's policy. (Hear, hear.) It is but rarely that in bureaucratic India, we find

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one Government quarrel with another or one responsible officer differ widely from another. On this matter of Provincial Contracts however, there has been a perpetual bickering and quarrel between the Provincial and the local Governments. As an apt illustration of the strained relations thus created, I cannot do better than quote the words of Sir Arthur Havelock, sometime Governor of Madras. Speaking in the Council, His Excellency is reported to have said :—

"It appears to me that the Contract system, so called, is bad in itself. It is demoralising to the Provincial and Supreme Governments, it is bad in that each revision that takes place has a terribly disturbing and dislocating effect on the local administration, especially in the important department of Public Works, to which the pruning knife has to be suddenly and ruthlessly applied. It is demoralising to the Provincial Government, because it tends to impair the sympathetic co-operation between the Supreme and Provincial Governments which is so desirable, and because it tempts the Provincial Government in its financial relations with the Supreme Government, which is master of the situation, to have recourse to the tactics of the weak. When we are well off we try to hide our money and spend it recklessly, lest the Supreme Government should lay hands upon it. When we are poor we try to give undue emphasis to our poverty. The system is demoralising to the Supreme Government because it relieves that Government from the consequence of extravagance."

You can well imagine, ladies and gentlemen, how pernicious must be a system, how galling the screw applied by the Supreme Government, when a Governor could thus speak out in public from his seat in Council. The most fatal effect of the policy has of course been to arrest and retard the work of peaceful internal development material no less than moral. You are probably aware, ladies and gentlemen, that the Imperial Exchequer mainly concerns itself with the supervision agency, and the foreign and military departments. Public works of utility—works on which the internal peaceful development of the country depends—works which are first amongst the objects for which constituted Government exists—all these works are entrusted to Provincial Governments, and it is precisely these that suffer most, nay exclusively, on account of the tight screw mercilessly applied by the Supreme Government. That is also the reason, ladies and gentlemen, why the Budget discussions in our Provincial Councils are such solemn farces and shams. In the Imperial Council there is some possibility of the authorities being induced to change the allotments, give more to some and reduce the outgrowings under other heads. The local Governments are, however, bound head and foot and to any demands for additional expenditure under any head they have the one pitiable reply that they are left no elbow room, no resource at their free command, under the system of Provincial Contracts. It needs little further argument, ladies and gentlemen, to condemn the present system of these so called contracts. The resolution asks you to advocate a change whereby the resources of the country will be equitably and permanently distributed between the Provincial and Supreme Governments and a direct incentive given to the former to save and develop their resources. They are at present much in the position of the wife who is compelled by her extravagant husband to give up not only all her domestic savings but her ornaments as well. The Supreme

Government can have it as it wills and there is no check on its extravagance. That is what it should not be, and all that we ask for, is that the aims and intentions of the originators of this system of Provincial Contracts should not be forgotten, and that the policy pursued should be a consistent one of increased decentralization and development of local Self-Government in the true sense of the term. (Applause.)

Resolution VII. Prof. D. J. Padhye.

Resolution VIII.

THE DISTRICT MUNICIPALITIES ACT.

FAMINE AND PLAGUE EXPENDITURE.

MR. H. S. DIXIT moved the eighth resolution as follows :— Mr. H. S. Dixit.

(*a*) That this Conference, while gratefully recognizing that the new District Municipal Act is free from many of the more objectionable provisions contained in the Bill as introduced in 1899, and that the administrative sections are a great improvement over the old law, desires to record its regret that the new Act does not make express statutory provision for extending the scope of the elective franchise, at least in the case of City Municipalities, that it introduces for the first time considerations of class and creed in the distribution of seats thrown open to election, and that it adds to the list of the obligatory duties of Municipal bodies, when the resources of these bodies were inadequate for the efficient discharge of their obligatory duties even under the old law.

(*b*) That in the opinion of this Conference it is wholly unjust to require Municipalities to spend money in famine relief, as such relief is a duty resting in the Imperial Government who have imposed special taxation for the purpose ; and that as regards plague, the cost of dealing with it in the manner prescribed by Government is so great that it is beyond the capacity of any Municipality to bear more than a fraction of it ; that Municipal bodies have been already brought to the verge of bankruptcy, wherever the plague has raged, and that the Conference, therefore, prays that Government will be pleased to relieve these bodies of the whole or at any rate the greater portion of the plague expenditure.

He said :—You will observe that the proposition revolves itself into two parts. The first deals with the Municipal Act generally. It cordially recognises that several objectionable provisions contained in the Bill have been removed and the credit for that is in a great measure due to Sir Charles Ollivant. (Hear, hear) You will remember that compliments were paid to him by several members of Council and by our President yesterday. I have arranged with my seconder that he should deal with the first part of the proposition, and I should confine myself to the second part. You will find that the first thing that strikes us is the provisions about famine relief in the Act. You will remember that the old Act said nothing about famine relief. It was no part of the duty of any Municipality to provide for famine relief and it was all along recognised as the duty of Government to provide against famine. In fact the Municipality of Bombay is not expected to make a provision of that kind and

Resolution VIII. Mr. H. S. Dixit.

these small Municipalities did not expect to have to do it. There is a reason given in the resolution as to why it is highly unjust to make Municipalities bear this burden. The reason given is especial taxation has been imposed. You will remember the story about the Famine Insurance Grant years ago. The idea was that Government should have the right to set apart provision for years of famine and in order to provide funds for the purpose on income tax was levied. We know what happened afterwards to that Famine Insurance Grant. We know that it was in no way confiscated by being applied to military expenditure and other purposes and that loud complaints were made against that proceeding, by, amongst others the late Mr. Bradlaugh. (Hear, hear.) But, however, that may be, it is clear that until this new Municipal Act was passed, at no time was it even hinted that this was to be one of the duties of Municipalities. In regard to the case of plague I think that is quite an Imperial charge. I do not think I can express it better than in the words of the Honourable Mr. Mehta. (Cheers.) This is what he said in the Budget discussion in March 1889 in the Viceregal Legislative Council.

"To treat plague expenditure as anything but Imperial would be both a hardship and an injustice. It has been regulated by Imperial commission, has been incurred under Imperial directions and has been disbursed under imperial agency. In the case of the smaller municipalities living from hand to mouth, their income is absolutely inadequate to meet the burden and they can discharge it even gradually only be sacrificing all sanitary progress for years to come."

The effect of plague on the finances of the Municipalities can be described in the words of the official reprots much better than in any other way, and with your permission I will give you a very few extracts to show how the Municipalities have suffered in this respect. In the report on Municipal Taxation for 1897-98, the Commissioner of the Central Division says: "The chief need of most of the Municipalities is a good water supply, but owing to financial circumstances they are unable to undertake costly projects." Then speaking of certain districts this is what he says in regard to Nasik: "Municipal Administration generally has been overshadowed by plague." In the same way he speaks of other districts. Of Satara he says: "The financial condition of the Municipality is as bad as it can be for, with a decreased income and vanishing balance the Municipality have to find the means of repaying to Government the large sums advanced on account of plague which up to date amount nearly a lakh of rupees." It is a fact that, perhaps, is not generally known that in several places street lighting has had to be abandoned simply because the Municipalities had no funds. Then in some places, the ratepayers have had to do without many of the ordinary requirements during the past three years as for instance, a good water supply, drainage and latrines owing to want of funds in consequence of plague expenditure. There is this relieving feature that in later years there have been grants by Government but these bear a very small proportion to the actual expenditure that the Municipalities have had to incur on plague. The expenditure of the Satara Municipality on plague was Rs. 1,10,633 and the advances received from Government amounted to Rs. 70,000. In other cases, however, the grants were less than one-fourth the actual expenditure, in some it was one-third and did not exceed one-half in any other case while similarly to what we have heard about remissions and suspen-

sions by land Revenue; these grants are not given until inquiry is made into each particular case. Government send their own officers to inquire into the finances of each Municipality and ascertain what economy they have practised. When the question of economy comes in there is always the temptation in some quarters to practise false economy and I think I have given you illustrations of that in the shape of giving up street lighting and putting of sanitary works which may be absolutely necessary. In some cases you will find there is a large increase of taxation. Of course, this is one of the circumstances which Government inquire into before making a grant, and looking at the Municipal reports it is found that some taxes were raised by 50 per cent. especially the house tax and octrois. The president tells me that in some cases taxation has been increased by 100 per cent.; but you will find that all works of necessity have had either to be abandoned or postponed because provisions has to be made for plague. There is however, no justification for sacrificing necessary work. The present Municipal Act provides that provision for famine relief shall be only made after provisions has been made for street lighting and other ordinary sanitary duties. But it is not wholly satisfactory because there are other duties, called discretional duties over which the provisions for famine are able to take precedence. These are duties which no Municipality that looks after the health, comfort and education of the inhabitants can ignore, duties to provide for libraries, gardens and schools. In this connection I may remind you of what, the President stated yesterday in quoting from Sir Charles Ollivant's speech that they had to provide for all imaginable contingencies, one of which he called, was an overflowing treasury. I am afraid there is no Municipality now with an overflowing treasury. The resolution also makes reference to the machinery which Government prescribed for coping with plague but all the paraphernalia of plague measures that we had in the early years of the pestilence is provided for in the act. We know how costly the exercise of those powers would be. (Applause.)

Resolution VIII. Mr. H. S. Dixit.

Mr. N. C. Kelkar, of Poona, in seconding the resolution, said :—

Mr. N. C. Kelkar.

You will at once see that this is a very fair minded resolution. Though in the second part of it we find fault with Government and the policy pursued by them in regard to the last Municipal Act, still we point in the resolution to the grateful recognition of the fact that many of the more objectionable provisions of the Bill were withdrawn and the amended sections are a great improvement on the old Act. I wish to briefly state the objectionable provisions originally proposed. The first was that the Managing Committees should be recruited more largely from nominees than from the elected members. The second was the provision in regard to the unseating of members. If a member absented himself for an unreasonably long time or was guilty of some conduct which could not be explained he was to be unseated. Although that alone was a very objectionable provision there was a heavy fine imposed upon citizens within municipal areas for petty offences such as nuisances. The fourth objectionable provision related to executive officers. Government intended that the Executive Officer of a Municipality was to be appointed by Government itself. With the assistance of the non-official members of the Legislative Council we have been able to pursuade Government to give up all these objectionable points and to bring them round to a sort of compromise and for

Resolution VIII. Mr. N. C. Kelkar.

that compromise, we have really to thank as much Sir Charles Ollivant as the non-official members of the Council who were led by the Honourable Professor Gokhale. (Cheers.) But the second part of the first clause of this resolution states the administrative sections of the new Act are a great improvement on the old law. They relate to the recovery of municipal taxes, the conduct of business and the extensive powers given to municipal bodies as a whole. I hope that those powers will be extensively exercised by the Municipalities and that they will not be open to the reproach that whereas they love power they do not always take the responsibility which is associated with it. But progressive as the measure has been in these respects, we regret that in other respects the measure has been a retrograde one. In the first place the hold of Government on the Municipalities has been made tighter. Onerous duties involving heavy expenditure have been thrown on the Municipalities, and no enlargement of the elective franchise has been granted to us. Government, of course, first of all wanted to take away our rights, so to speak, but when the non-official members objected vigorously to the proposals they came to a compromise. You will naturally wonder what I mean when I say that Government has followed a retrograde policy in not enlarging our elective franchise. You must remember that where there is no progress where progress is due, there, we are entitled to say there has been retrogression. Government, in this respect, has kept to the old level of elective franchise. I contend that we have put in twenty years of from fair to good work in municipal administration in the mofussil and men like Sir Evan James and Sir Theodore Hope have recorded very good opinions of mofussil Municipalities and distinctly declared that the experiment in local Government in the Bombay Presidency was a success. (Hear, hear.) In the face of all this are we not entitled to claim that, no progress having been made in regard to the elective franchise a retrograde policy has been followed. We have had men like the late Rao Saheb Runchorlal Chotalal, the latter part of whose life was exclusively devoted to municipal work, the Honourable Mr. Mehta, Sir Bhalchandra Krishna, Mr. Ibrahim Rahimtula and others. I contend the names I have mentioned are good types and are representatives of our success. I ask you with such men as good municipal workers in our midst is it unreasonable to claim that the limits of the elective franchise should have been extended largely when Municipal Act was taken in hand last time? But the correspondence between this Government and the Government of India in the years 1882-84 will tell you that the Bombay Government has all along been consistently unwilling to grant us the boon of Local Self Government and it was only on the mandate of Lord Ripon that the Bombay Government granted us the present measure of Local Self Government. That is the condition of Local Self Government in India after 23 years. What is the condition of Local Self Government in England? Sir Somers Vine writing of the condition of Local Self Government in 1832 describes a state of things than which a more terrible indictment of Local Government I cannot conceive. When the question of Local Self Government was taken in hand in this country the late Mr. Justice Ranade (applause) had occasion to record his views on the subject. The Municipal Act of 1884 was conceived under direct inspiration from the beneficent Government of Lord Ripon and the measure which raised so many great hopes in our minds was very extensive. The late Mr. Justice Ranade, who was well known for the

sobriety of his views put before us the ideal he wanted us to reach. You all know how far short of that is the ideal attained by Government in the matters of the franchise. (Applause.)

Resolution VIII. Mr. N. C. Kelkar.

Mr. S. D. Khote, in supporting the motion, said :—

Mr. S. D. Khote.

As the result of the pious combination between the proposer and the seconder to divide the resolution, my task is considerably lighter than it would otherwise have been. With regard to the first part of the proposition all I shall say is that the District Municipalities Act is a measure about which we ought to write to Government, pointing out the defects which we find therein. As to the second part of the resolution it is but fair and equitable that Government should bear a share of the plague expenditure. Even the Bombay Municipality, which is considered a very rich Municipality was brought to the verge of bankruptcy so early as 1898 through plague charges. If the Bombay Corporation is so badly off what was the condition of the District Municipalities during all those hard times? If plague and famine charges to be added to our burdens, and if Government are unsympathetic it cannot but be said that our lot is miserable. The District Municipalities are in an unfortunate position. If they made an unanimous appeal to Government I do not doubt it would be listened to and that they would receive a fair share of relief. (Applause.)

Mr. K. N. Wadia, also supported the motion, observing :—

Mr. K. N. Wadia.

Mr. Khote said there was a combination between the first two speakers. I think there was a combination between all three because they have left nothing much for me to say. We along with all other representatives of the Municipalities in India think that Government should help us, to the best of their power and ability, by giving contributions to plague expenditure, because if they don't do that we cannot carry out the sanitary measures entrusted to our care with so much ease and comfort and in the same way as we could do if we had more means at our hands. (Applause.)

Mr. Sawant, of Satara, supported, he said :—

Mr. Sawant.

GENTLEMEN,—Ths first part of the resolution which I come forward to support, reminds me of the proverb that half a loaf is better than no bread, but woe be to him that comes to look upon that half loaf as the whole for ever. As we must be thankful even for small mercies, we cannot sufficiently thank Sir Charles Ollivant, who with a true statesman's instinct and insight, did not deem it unworthy of him to meet us half way. After discharging this comparatively easy and pleasant duty of thanksgiving, let me turn to the rather difficult, and not very pleasant, yet none the less the more important, duty of criticizing the provisions of the present District Municipal Act. The Act, though decidedly an improvement in the right direction upon the provisions of the Bill as first introduced, unmistakably reveals its family likeness to the various Acts recently passed. It is born of the two very ugly parents, *viz.*, an inordinate passion for over-centralization as far as real powers are concerned, leaving no scope for independence of spirit and contempt for enlightened public opinion. In this connection the very pertinent remark of a philosophic writer (David Hume) occurs to my mind that a free nation governing other nations unconsciously proves more despotic than even barbarous nations.

Resolution VIII. Mr. Sawant.

Under the present Act the official President and his tool, the Chief Executive Officer in the case of a City Municipality, is every thing, the Councillor, are nothing. To what a precarious position the so-called Councillors are reduced will be plain on a reference to section 16 and other sections of the Act. Recently men of education, character and independence are being generally excluded from Government nomination and it is passing strange that while the most worthy section, *viz.*, the educated class is not allowed to choose its representatives in many cities of growing importance, the new Act should revert to Government the power of allowing minorities (synonymous in most cases with backward classes) to choose their representatives to enable those representatives to pay their respects in season and out of season and hang on the very breath of the lesser Excellency of the District, (The Collector Saheb Bahadur) and feel and shew themselves to be bigbodies and to earn titles and certificates of merit for having bolted away from the Municipal limits during plague days for months together and to put these certificates of merit to be handed down as valuable legacies to their children and grand children and throw them in the face of philosophers and unpractical men presuming to look down upon that very serviceable virtue—flattery. I need not emphasize the extreme necessity and desirability of the presence of men of education, character and independence in District Municipalities at this critical juncture, when it is becoming a fashion for creatures of law (such as official presidents and others) to openly defy and override law and decency and become guilty of paricide. Would you believe that one of that ilk had the hardihood to playfully say like the Czar of all Russians "who is there to question my authority?" to a very prominent councillor (a nominated one and in the confidence of Government) who ventured to suggest to his lesser Excellency the irregularity of proceeding with Municipal business in the absence of the requisite number of councillors? The creed that Government Officers should cease to be gentlemen threatens to be universal if not timely checked by Government and enlightened public opinion, for official president of a City Municipality was polite enough to ask in broken Hindustani to a Councillor coming a little later after his lesser Excellency, whether the Councillor was not ashamed to have come so late. Gentlemen, ask me not whether the councillor left the Municipal Hall or quietly submitted to the almighty dictator and the very worthy representative of Government. The *Times of India*, that past master of rules of etiquette writes in its yesterday's issue, and finally, though this is a side issue—that his (Mr. Mehta's) premeditated action in leading a withdrawal from the Legislative Council was—we will say unconsciously—discorteous to the Governor, implied a disregard of the duties for which he was selected and inflicted a serious blow upon the experiment of elective representative in this country, and I believe that the conduct and the extreme loyalty of that worthy District Municipal councillor who neither left the Municipal Hall nor made the least protestation will be held by the *Times of India* to our admiration and for our guidance with the insinuating threat that if we do not imitate the ways of that worthy the little that has been given us would be withdrawn. Unhappy India and thrice unhappy England when such a leading paper as the *Times* should come to such a perverse way of thinking. (Laughter.)

I have often used the word "lesser Excellency" for Collectors and District Magistrates, but it must be painfully confessed that the biblical words that

the last shall be the first are faithfully followed by some of the District Officers and that some of the District officers are by their conduct proclaiming to the world their superiority to Governors, Viceroys and even that august personage King Emperor who does not claim to be more than a constitutional monarch; and yet more power is being heaped upon the already burdened and giddy headed District officers. It is necessary under such circumstances that the proportion of elected members to the nominated should be a very large one and that in addition to ward-elections, there should be general elections exclusively by the educated and that nominations should not be recruited from that very unworthy class of flatterers.

Resolution VIII. Mr. Sawant.

As for the second part of the resolution it is the peculiar feature of the present Act that liabilities of District Municipalities have increased in rather an inverse proportion to the powers of the Councillors or the Corporations. They are required to defray the famine, plague and police charges and also to maintain leper asylums, &c. These provisions put one in mind of the partnership between the dwarf and the giant. Apart from the argument of the poverty of District Municipalities, these charges are to be borne by Government. Besides power has been given to Municipalities to waste the money of poor tax-payers on quite useless purposes. While the administration of raising taxes is to fall exclusively upon Councillors, the important function of initiating taxes is ultimately left to the Government Virtually Local Self Government is a misnomer as our worthy president very aptly remarked yesterday. I would therefore press upon you the extreme necessity and advisability of initiating and keeping up agitation throughout the presidency, to ensure the speedy repeal of all those provisions of the District Municipal Act which are utterly inconsistent with the very first principles of Local Self Government. (Applause.)

Mr. V. G. Ketkar, of Nasik, said :—

Mr. V. G. Ketkar.

Mr. President and Brother-Delegates,—It affords me great pleasure to support the resolution proposed by Mr. Dixit and seconded by Mr. Kelkar. The resolution has been sufficiently discussed and ably dealt with by my predecessors. While we do recognize that the new District Municipal Act is free from many of the more objectionable provisions contained in the original Bill, we must not lose sight of the fact that the new Act taken as a whole is a retrograde measure. Instead of extending the elective franchise it has curtailed it and has introduced for the first time considerations of caste and creed. The new Act has laid certain burdens over the Municipalities, which the Municipalities as at present situated are unable to take up. For instance, the present Act requires Municipalities to take up the work of famine relief. Now the limited resources of the Municipalities will not enable them to take up this additional burden over their shoulders. The Municipalities are at present unable to execute satisfactorily the duties already entrusted to them; and if they are asked to do additional works like plague and famine, then either they must impose new taxes on the already over-taxed people or run into debts from which it is impossible to be free. Moreover, the Imperial Government have imposed special taxes for the purpose of famine relief and it is unjust to shirk the responsibilities.

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As for the plague charges the several Municipalities in our Presidency have one and all run into large debts. The opinions of the Municipalities were not taken in framing plague policy and the measures that were taken to suppress the dire disease; and it was expressly and authoritatively declared that the plague policy was Imperial. I take the instance of the Municipality of Nasik. That Municipality was before the outbreak of plague not only free from any debts but had balance on its hands. The heavy plague charges which it was compelled to incur inspite of its strong protests have caused it to run into debts from which it is hopeless for the Municipality to be free. Other Municipalities also are in similar condition, and it behoves our benign Government to relieve the Municipalities of the whole or at any rate the greater portion of the plague expenditure. With these few remarks I strongly support the resolution. (Applause.)

Mr. Kale.

Mr. Kale, of Satara, said:—

The proposition I am called upon to support relates to the Municipal Administration in the mofussil and it seems to me that my name has been suggested on the spur of the moment, because having been for some years an elected member of a Municipality and having been for some time connected with it as Chairman I may well lend my support to this resolution. The resolution deals with two points, the first is with respect to the expression of gratitude and that is a very pleasant duty because we must always be grateful whenever Government are kind to us. The second duty is a little unpleasant but none the less important. We must be fearless to point out to Government the defects that have been introduced into the Municipal Act by the later amendments. With reference to that I have only to make a very few observations and the first is with respect to the matter of plague expenditure. This plague expenditure has been a burden on the public since 1896 when plague broke out. We have seen how this expenditure has crippled the resources of the Municipalities and it is needless for me to say anything more on that score. I would simply point out that what we have been urging from the beginning, namely, that plague is an Imperial calamity and the expenditure in respect of it should be borne by the Imperial Exchequer—that proposition has been endorsed in the most emphatic terms in a recent letter by the Commissioner of the Central Division in reply to a representation by the Satara Municipality that they had no funds left. It would seem, therefore, to be no useless regret that we express but a regret which will have effect in time to come. Government practically forced our hands and from time to time asked us to take advances of money and now they have been asking us to come to a settlement. I may add a word as to the advantage Government received on account of the elected members being on the Council. Being elected members in whom Government had confidence. Government was able to do its work carefully and with much less friction than would otherwise have been possible. In fact it is my firm belief that Government would not have been able to take advantage of the plague measure and launch out into expense as they did had it not been for the agency of the several Municipalities who made the task so much easier by pressing on the attention of the public the reason for the measures. It is a fact that at Satara we put a stop to the lights and the repairs but still Government insisted that we should continue the plague measures. We did

so. We waited for years, but plague would not stop and it is still raging with a vigour that is unprecedented. Only about a fortnight ago I had the honour to bring forward a proposition in the Municipality to the effect that it was no longer any use to submit to the wishes of Government and reduce ordinary expenditures that we must incur necessary expenditure for lights and that we must tell Government that we have no money for plague. I am glad to say that with the assistance of the elected members and also of some of the official members we were able to carry this proposition. The Collector has asked us to carry out the necessary measures for plague; we have replied that we have no money and unless Government give money as a grant we are not in a position to spend further. Of course the Collector has recommended that this Municipality must be given a grant and cannot do without it. The wording of the Act permits us to carry out necessary expenditure and therefore the burden of plague expenses is ultimately on Government. It is competent for other Municipalities to do as we have done and Government will then see that they are no longer able to put the burden upon small Municipalities and must take it upon themselves. (Applause.)

Resolution VIII. Mr. Kale.

The resolution was carried unanimously.

Resolution IX.

THE GRIEVANCES OF SIND.

THE DELEGATION OF POWER.

Mr. HARCHUNDRAI VISHINDAS, of Sind, proposed the following resolution:—

Mr. Harchundrai Vishindas.

That in the opinion of this Conference the time has arrived for the repeal of Act V of 1868, which empowers the Bombay Government to delegate its powers as Local Government to the Commissioner in Sind, and for placing the Province of Sind in this regard on the same footing as the other divisions of the Presidency.

It is not my intention, considering your feelings and the hour, that I should detain you at length on this resolution specially as it has no peculiar interest for you all, having an exclusive application to Sind. But it is necessary that I should explain to you the object it aims at and the facts and events justifying its adoption. What this and the following few Resolutions aim at is to bring Sind into line with the rest of the Presidency.

Act V of 1868, for the repeal of which I submit this proposition, enacts that the Bombay Government could delegate its functions of Local Government with regard to Sind to the Commissioner in Sind. The result has been that almost all the important powers of Local Government have been exercised by the Commissioner. The disadvantages of such a system are obvious. I remember that when Sir Richard Temple was appointed Governor of Bombay a controversy was raised in the newspapers on the comparative merits of a civilian filling the important post of the Governor of a Presidency and the

Resolution IX. Mr. Harchundrai Vishindas.

importation of a statesman of Parliamentary reputation to act as Governor. Opinion was unanimous in favour of the latter as it was thought that an Administrator coming direct from England who besides having his mind liberalized by the atmosphere of a free country and moulded by the healthy training of a Parliamentary career would be free from all those local prejudices and predilections to which an officer recruited from the bureaucracy of this country would be always subject. And since Sir Richard Temple's time you have always had your Governors direct from England. Now in Sind, by the existence of this Act, we are deprived of this benefit which you here in Bombay possess. Our Governor in Council is practically the Commissioner in Sind.

It may be that this Act was justified at the time of its enactment in 1868. Considering that the Province of Sind was then in the early stages of conquest and it was separated by a long distance owing to the want of facilities of communication from Bombay, direct administration from Bombay was impracticable—being fraught with delay and inconvenience. Hence in the then state of things one can understand the utility of the Act which gave to the Chief Officer on the spot who would be directly in touch with local problems and local peculiarities a direct control over the government of the Province. But now all this is changed. It is natural that a great change should take place during a period of over thirty years. Yesterday in the Presidential address you have had detailed facts and figures of the moral and material progress achieved by the Province during this period. You also knew that the facilities of communication have so far advanced as to reduce the distance between Bombay and Karachi to a thirty-six hours' journey. We are therefore no longer under the shadow of that backwardness which had called forth the Act. But time has come when we should have the same privilege that you possess, *viz.*, that of being governed directly by the Governor of Bombay in Council. (Hear, hear.)

Gentlemen, these are general reasons which lie on the surface of things for which my Resolution should be supported. But there are special reasons which show the evils of One Man—government. You will recognize that there are Commissioners and Commissioners. While on the one hand there have been Commissioners whose government has left nothing to be desired ; on the other hand, as is quite natural, there have been Commissioners whose local prejudices and whose peculiar ideas of Government have led them into such acts of arbitrariness as to render very necessary the reform I am advocating.

Take the instance of the new Municipal Act. You know that in that Act there is a distinction laid down between the City and Town Municipalities, the former enjoying greater privileges than the latter. Amongst other things the City Municipalities are directly controlled by the Governor of Bombay in Council and the Town Municipalities by the Commissioner of the Division. Now, in the Act, Karachi and a few other important Municipalities in Sind have been dignified by the name of the City Municipality. But by the operation of Act V of 1868, we have been again degraded to the rank of the Town Municipalities in this respect—so that what is given to us with one hand is taken away with the other. Again the President yesterday gave you an

Resolution IX. Mr. Harchurdral Vishindas.

instance of the exercise by the Commissioner in Sind of the powers of Local Government in a case under the Police Act. Amongst the powers under the Police Act delegated to the Commissioner in Sind is that of imposing punitive police—a very important and dangerous power. In exercise of this power the Commissioner in Sind imposed punitive police upon an individual which the Act did not authorize him to do—the person affected brought a suit to set aside the order which was accordingly withdrawn. A thing like that would never have happened in Bombay. (Hear, hear.) The Governor of Bombay in Council would have never lent himself to such an irregularity.

Further it is the Commissioner in Sind who as Local Government has power to appoint Sub-Judges and First Class Magistrates. You know the far reaching effects of this power. Every Subordinate Judge or First Class Magistrate will consider it his interest to keep in the good books of the official world and to be influenced in their judicial work by a desire for the good will of the officials.

But, gentlemen, there is yet a higher consideration which moves me to place this Resolution before you. The manner in which you in Bombay have been kindly extending to us the right hand of fellowship induces us to make the bond of union closer with you and to raise ourselves to a level of real brotherhood with you. (Cheers.)

If we are governed by the same body as yourselves you will take greater interest in our affairs. You will consider us as one of you. We shall have the help of your press and your public opinion which are both very strong. And in this regard Mr. Gokhale was a "little too previous" yesterday when he delivered himself of a "lurking suspicion" that Sind wanted to separate herself from Bombay and throw herself into arms of the Punjab. This and the propositions which follow will, I hope, completely dispel this suspicion. To ease the troubled mind of the Honourable Mr. Gokhale we have asked him to take part in uniting us with Bombay by seconding this proposition. As you are sure to hear same interesting matter from him, I conclude now that he may address you. (Cheers.)

The Hon. Prof. G. K. Gokhale.

The Honourable Professor G. K. Gokhale, in seconding the resolution, said :—

My only excuse for encroaching again on your attention is that my Sind friends have urged me to say a few words in support of this resolution. Of course, I second this resolution with much pleasure because I certainly sympathise with the Province of Sind in its unfortunate and unenviable position. I feel that Sind is badly treated by the Government. (Hear, hear.) I had almost said shabbily treated. These three or four resolutions that you will be called upon to pass will show that Sind has got an inferior Judicial Administration and an unfair land tenure. We heard yesterday from the President that the elective franchise for the Legislative Council in Sind is not so satisfactory as in the rest of the Presidency. I think the Conference is justified in requesting Government to put Sind more on a level with the other parts of the Presidency. The question of Commissioners should be looked to. I am not much impressed by Commissioners. The late Mr. Ranade said they were 'the fifth wheel of

Resolution IX. The Hon. Prof. G. K. Gokhale.

the coach. (Laughter.) They merely interfere with the swift despatch of work and in all important matters as between the people and the Collectors they generally stand up for the Collectors to maintain the prestige of the service. In Sind the system is not only useless but objectionable. There, the Commissioner is a sort of Lieutenant-Governor; the statesman brought from England is assisted by two members of the service. There are advantages and disadvantages in this arrangement, but the advantages which we enjoy in having this system of government are denied to Sind, because powers have been delegated to the Commissioner. Government may very well place Sind on a footing with us. Whatever justification they may have been for this special treatment of the Province at one time Sind has made progress. (Hear, hear.) They are not agitating perhaps as much as they might. Mr. Ranade said that one great defect of the British Government was that the supervising agency was too much multiplied. Government create an offence, and as if they cannot trust the officer they go on creating check on check until the supervising agency is largely increased and the expense becomes great. My idea is that there should be a sort of local Council and that in any question of dispute reference be made to the Imperial Council. Such a system would be better than the present checks. In conclusion I will say the Conference will be justified in suggesting that the Government should place Sind on a footing with the rest of the Presidency. (Applause.)

Resolution X.

SIND PROVINCIAL SERVICE.

Mr. Lalchand Hasamal.

Mr. LALCHAND HASAMAL, of Sind, moved as follows:—

GENTLEMEN—Mr. N. V. Gokhale had to complain this morning of the summary procedure adopted everywhere and in all matters and I have to make a similar complaint this afternoon. His complaint was against the subjects-committee while mine is against the President himself. On my return to-day from my morning walk at 8-30, I was told by the President that at to-day's sitting of the Conference I was to move the proposition which was originally in charge of my friend Mr. Lalchand Chuhurmal, of Hyderabad (Sind), who was unable to move the same owing to his having fallen ill suddenly. The proposition which has thus at a very short notice been entrusted to my care is:

"That this Conference is of opinion that serious injustice is involved to the province of Sind in the separation of its Provincial Service, Executive and Judicial, from that of the Presidency and it suggests that the two services be amalgamated."

My task is however easy as the proposition does not require any elaborate advocacy on my part to recommend it to you for adoption. Sind in this particular instance stands in the character of a plaintiff against the rest of the Bombay Presidency as the defendants and prays that a consent decree be passed in her favour on the grounds concisely but forcibly put forth yesterday by the President in his presidential address. The necessary consent on behalf of the

Presidency proper will presently be notified by the seconder of the proposition who belongs to your part of the Presidency and has been instructed by the defendants at a meeting of the subjects-committee to give that consent. That being so my case is quite clear and does not require any arguments for its support. But as some of the sceptic judges very often hesitate to give a consent decree unless satisfied that there is no collusion between the parties I may be permitted to state my case which will be styled:—

Mis Reasonable No. 1 of 1901.

In the High Court of Judicature of the Government of Bombay.

Sind ... ... PLAINTIFF.

vs.

Rest of the Bombay Presidency ... ... DEFENDANTS.

The plaintiff begs to state that the disadvantages to the plaintiff from the Provincial service in Sind being kept distinct and separate from that in the rest of the Presidency of Bombay are obvious and manifold. You were told yesterday that out of the total number of 125 appointments in the Judicial branch Sind has only 13 appointments allotted to her and none of them carries with it a salary of more than 400 Rs. per mensem and on the other hand in the Revenue Department Sind has got only 17 appointments out of a total number of 79 and the highest salary in that branch does not exceed Rs. 700: whereas the Presidency proper enjoys the advantage of having allotted to it appointments carrying salaries ranging from Rs. 500 to 1,600 Rupees.

There is no inducement of any kind whatever for any able man to stick to the department. There are several instances in which men who would have been an ornament to the service had had to resign their appointments and join the bar and you have a very striking example in Mr. Tekchand Udhowdas who would have occupied a seat on the District Court Bench with honor to himself and credit to the country. Apart from this pecuniary disadvantage, Sind stands isolated from the rest of the Presidency, and the disadvantages caused by such isolation are too numerous to mention. Suffice it to say that if we were brought more closely in contact with you we would considerably benefit by your experience ability and education and make better citizens.

I have in vain tried to find out the reasons which influenced the Government of Bombay to keep the two services distinct and separate; but if the fact of Sind having been once called an "Unhappy Valley" by some European gentleman who probably did not get his breakfast or luncheon at his usual hours in the deserts of Thar and Parkar was one of the reasons which contributed to the present system of services being adopted, I submit that that reason cannot stand now as Sind is no longer that "Unhappy Valley." It cannot now be said of Sind that she is intellectually inferior to her sisters in the Presidency proper. The very existence of the D. J. Sind College which my friend the Honourable Mr. Mehta yesterday deplored for reasons given by him is proof positive of the intellectual advancement of Sind. Again when we remember that she has produced men like the late Honourable Mr. Dayaram Jethmal, the late Honourable Mr. Udharam Mulchand, Mr. Dayaram Gidumal,

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Mr. Tekchand Udhowdas, whom you had the pleasure of hearing this morning and the gentleman who adorns the chair and holds the reins of this assembly to-day, (cheers), no reasonable man will say that Sind is still intellectually backward, nor can Sind be said to be lacking in public spirit. The presence of so many delegates at this Conference who have come down all the distance from Sind at considerable personal inconvenience and discomfort is a vigorous refutation to that charge if it could, with any show of reason, be alleged against Sind. The only thing which we the Sindhis may be accused of with some force, is laches or want of due diligence on our part but our explanation with regard thereto is such which cannot be rejected by any Court of Equity. In Sixties or Seventies, Sind was only a tiny little girl and in her infantine simplicity did not know what was to her advantage and what was to her disadvantage and she let her interests to be taken care of by her beneficent parent the Government of Bombay, little dreaming that that parent would take advantage of his superior position to the prejudice of her little innocent child. In Eighties when Sind became a full grown-up woman she complained through the then Sind Sabha although in another shape and asked that the pay of the appointments should be raised and she should be placed on the same level with her elder sister. Again in 1896 when you did us the honor of holding your sessions at Karachi the same complaint was repeated through you, but no heed was paid to our complaints on both the occasions, very probably because the Government of Bombay saw that by acceding to our request they would be out of pocket. To-day Sind is an elderly dame with grown-up girls and boisterous boys and she is determined to take up the suggestion of that illustrious statesman, Lord Curzon, who told us the other day never to cease knocking at the door of Government till we obtain a hearing and satisfactory arrangements are made for the redress of our grievance. And you may be assured that we will continue to knock and knock at the Government door until our prayers are granted. (Hear, hear.) But in this instance we will be spared the necessity of doing so, when you are prepared to give a consent decree and the Government of Bombay will not be out of pocket at all. But the Government of Bombay would very much like to take advantage of there being no provision made about the costs of the plaintiff and would on that score alone shelve the question. But to provide against that excuse I have instructions to forego my costs and am prepared to take a decree for the relief sought, each party bearing his own costs. (Applause.)

Mr. V. R. Joshi.

Mr. V. R. Joshi, of Poona, who seconded the resolution, said:—The reason for keeping these two services distinct seems to have been based on the opinion that Sind was a backward province. But as you have seen from the address given by the President yesterday it has been making rapid strides in all directions of progress; and the policy which was so long a wise policy and perhaps inaugurated in the interests of the Sind people is now not applicable to them. They have outgrown the system that was bestowed upon them and it is necessary that they should now be allowed to share in the rewards of merit along with the rest of the Presidency. It is therefore our duty to extend a friendly hand to them. If we extend the hand of fellowship to them and if Government find they do not lose any thing by extending such consideration to them I think there need not be any

apprehension that our proposal will not be accepted. I therefore request you to accept the proposal and recommend the Government to unite the two services. (Applause.)

The proposition was carried unanimously.

Resolution XI.

[REFORM OF SIND SADAR COURT.]

Mr. Tekchand Udhuvdas, of Sind, who moved the next resolution, said :—

The resolution I have been asked to move is " That this Conference is strongly of opinion that in order to secure a better and more efficient judicial administration for the Province of Sind, it is necessary to raise the status and improve the constitution of the Sadar Court by turning it into a division of the Bombay High Court, sitting in Sind, and it respectfully urges that Government will be pleased to sanction a scheme for the purpose at an early date."

Sind has many grievances, as the Presidential address must have made clear to you, but if there is one grievance more than another of which we in Sind have just reason for complaint it is the present constitution of the Sadar Court. The Sadar Court is to us what the High Court is to the rest of the Presidency, the higest Court of appeal, revision and superintendence and has been, ever since it was constituted, in 1866, presided over by a single Judge. Nowhere else in the whole of India, is the question affecting the lines, liberties, and the properties of the people left to the final arbitrament of a single Judge and this appears to me to have its foundation in sound policy. The decision of a single Judge, however great his ability and attainments may be, cannot inspire that confidence which the decisions of a Bench of Judges would do, for the very simple and common place reason that two heads are better than one. You must also remember that exigencies of Public Service and considerations personal to the Judge, often necessitate changes in the incumbency with the result that there is often a break in the uniformity of decisions, a uniformity which is so essential to the preservation and maintenance of confidence in the administration of Justice. " Personal equation" enters largely as a factor into the decision of every Judge and with this variable element operating the decisions on the same point though coming from the same Court vary as the Judges change. Speaking from my own personal experience, I can recall several instances to illustrate my point but with the limited time at my disposal I will cite one. There was lately a case in which the present Judge of the Sadar Court decided a point similar to the one that had been previously raised in the same court before another Judge and while that Judge had considered the point exceedingly difficult and important and had made it the subject of an elaborate judgment the present Judge thought the matter so simple that be failed to see the difficulty which could have really oppressed the mind of his predecessor. The reasons that probably led the authorities to provide a separate Judicial administration for Sind was

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the difficulty and inconvenience of communication between Sind and Bombay, but this has disappeared and the best evidence of that is furnished by the fact that you see assembled in this Hall delegates hailing from all parts of Sind. Sind has undergone a wonderful change which has been as thorough as it has been great and although once decisively called the Unhappy Valley, as Mr. Lalchand has just said, it is now one of the most prosperous and progressive provinces under the British rule, and Karachi by its steady growth and development of trade can justly claim to rank next to your City. But while this is so the Sadar Court constituted in 1866 to meet the wants of an infant province is still expected to answer its purpose when the province has reached the stage of full maturity. This is claiming for the constitution of the Sadar Court what has hitherto been never claimed and can never be claimed for any constitution, *i. e.*, adaptability to all times and to all circumstances. (Hear, hear.) As to the plea of low exchequer which may possibly be urged by Government I have no faith in it, because if Government is so minded it can find many for any and every scheme. With these remarks I move the resolution and hope it will meet with your support. (Applause).

Mr. Chimanlal H. Setalvad.

Mr. Chimanlal H. Setalvad, (Bombay), in seconding the resolution, said :—

My friend, Mr. Tekchund is indignant that his Province of Sind, so, far as the Judicial Administration is concerned, should be so badly administered. He is, however, probably not aware that in the case of a part of this Presidency the highest Court of Appeal which is considered to consist in theory of three Judges, but consists in reality of one, sits with closed doors, rigidly excluding those individuals, lawyers and vakils, decides suits of the highest value and decides upon questions of life and death on written appeals. Statements in writing are made by the respondent which the appellant is not allowed to try to meet. A written report is sent up by the Judge whose judgment is appealed against and that report is never allowed to be submitted to the suitor. (" Shame"). To make this judicial farce complete, the unfortunate suitor is never allowed to see the judgment when it is given whether it is in his favour or against him, and it is entirely left to the Court whose judgment is appealed against to communicate to the suitor only such part of the judgment as it may think fit! It often happens that a superior tribunal reverses the decision of a Court below and it often occurs that His Excellency the Governor in Council reverses the decision of the lower. Sind is badly placed but not so badly placed as is the Province of Kathiawar. (Applause.)

Certainly the Judicial Administration of Sind is in a very unenviable condition and though the time is ripe when the question of Kathiawar should be taken up, it cannot be denied that the time is also ripe for the question in regard to Sind to be taken up. What is proposed is to create a branch of the Bombay High Court at Karachi or some suitable place in Sind. By some such arrangement Sind would be kept in touch with Bombay and the present isolation in which the Province is placed would be brought to an end. There are many other advantages offered by the suggestion and as it is eminently practical and useful I have great pleasure in seconding it. (Applause.)

Mr. Thawardas Dayaram, in supporting the resolution, said :—

MR. PRESIDENT AND GENTLEMEN,—I have very great pleasure in supporting the resolution that has been so ably moved and seconded by the speakers who have preceded me. After what they have said on the subject, very little need be said by me, to convince you of the reasonableness and justice of the reform suggested. Sind has many grievances but none of them, as the mover of this resolution has told you, affects so seriously on the present defective and anomalous constitution of the Sadar Court. Compared with any other High Court the work transacted by this Court is in no way inferior, nor broadly speaking is the power with which the Judge of the Sadar Court, is vested in judicial matters in any degree less than the power exercised by the Judges of any of His Majesty's High Courts.

But while it has not been found expedient to centre such a large authority in the hands of a single individual in other places, it has been for reasons best known to Government allowed to remain in the hands of a single Judge in Sind. Such a course of action unprecedented as it is, has not failed to embarass the Judges themselves. Even a man of the ability and learning of Sir Raymond West complained, when he was a Judge of the Sadar Court, of the difficulty he often felt in confirming or declining to confirm a capital conviction for want of a colleague on the bench and you can well understand what embarassment other Judges less favourably endowed, must be feeling in disposing of capital cases and whether it is not possible that that embarassment may, in some cases, have led to the conviction of really innocent men. (Hear, hear.) The effect of such mistakes cannot be anything but demoralising. The real offender is oftener than not, known to the people living in the neighbourhood where the offence is committed and we can easily picture to ourselves, their feelings when they find an innocent man convicted in the place of a real offender and the confidence they are thereafter likely to feel in the administration of Justice. Considering that the Sadar Court, as it is constituted at present contains within itself the possibilities of such mistakes, the reform of the Sadar Court assumes an urgency and importance which is not equalled by any other administrative reform.

In the face of this, it is impossible that the Government can deny the necessity of this reform, but as the mover of this resolution has told you, we are likely to be confronted with the usual plea of low exchequer. But if Government once realise the importance of this reform and the danger involved in the present constitution to justice itself, whose prestige it is both the duty and interest of Government to maintain, they will not allow this plea of want of funds to stand in the way of reform. Let us hope therefore that the Government will see the urgency and importance of this reform and seeing it find money to effect it. I have no doubt, however, gentlemen, that you are convinced of the necessity of this reform and trust therefore the resolution will meet with your unqualified and unanimous support. (Applause.)

Resolution XII.

LAND REVENUE SETTLEMENTS IN SIND.

Mr. Mathradas Ramchand Javahri.

MR. MATHRADAS RAMCHAND JAVAHRI, B. A., LL. B. (Sind) in moving the 12th Resolution, said :—

MR. PRESIDENT AND BROTHER-DELEGATES,—The proposition which has been placed in my hands for your acceptance is one which specially affects the Province of Sind, and is one which I doubt not will meet with your approval. You are well aware that the whole of this Presideney, except Sind enjoys settlements guaranteed to last for thirty years. This guarantee has been given by the Secretary of State for India and there are his standing orders on the subject. But Sind in this matter as in everything else is dealt with in another measure. While you enjoy thirty years' settlement we get only those for short ten years. No reason for this differential treatment was given, except a general one, that the conditions of Sind differed from those of the Presidency proper. It was however in October last that His Excellency the Viceroy Lord Curzon in reply to an address from the Mahomedan Association advanced special reasons in support of these short settlements. In reference to a request for 30 years' settlements instead of ten, he said, " when you make this request do you not to some extent, lose sight of the peculiar conditions of land tenure and cultivation in this Province ? There is no part of India where those conditions are in a more transitional state. You have to deal here both with the benefits and with the caprices of that most unstable of factors, water. On the one hand irrigation, where successful may convert a wilderness into a garden, on the other hand the vagaries to a wilderness. In the one case continuance of a low assessment becomes obsolete. In the other case continuance of a high assessment is unfair. Later on as conditions become further crystalized a larger period will probably come." From the above extract it will be seen that two reasons are assigned for short settlements. One is the extension of irrigation and the other the vagaries of the river Indus. It follows therefore that where those reasons do not exist or where there is no probability of their coming into existence, there is no justification for these short settlements. Before showing that those conditions do not exist in $\frac{3}{4}$th of the whole extent of the Province and that where they exist the Government takes the full advantage of them, it is necessary to show you what the opinion of the experienced Government Officers in Sind was at the time of introduction of these short settlements. Colonel Anderson, the Survey Commissioner, recommended in 1880 that the settlements should be guaranteed for 30 years as in the rest of the Presidency. Not only this was his opinion but he was supported in it by the views of the Secretary of State for India. At page 38 of the settlement reports for Sakrand Taluka, he says, " the next question is the period for which the settlement should be guaranteed. The land has been divided into small survey numbers and the classification of soil may also be considered to be permanent, so far as the land and water supply is permanent; so far as can be seen no change in this respect will be necessary, let the settlement *be guaranteed for period it may*. The Secretary of State has expressed *his desire that settlement in Sind should be guaranteed for the period usual in India, thirty years. A short period of settle-*

ment may be considered to be deterrent of improvement." The then Commissioner in Sind, Mr. Erksine, whose experience of Sind was very long and who may be said to be the father of the present system of assessment, in forwarding the above recommendation of the Survey Commissioner said at page 39, "the period common in other parts of the Presidency (30 years) is too long for Sind, but *at the same time I do not think, any revised settlements should be for so short a period as ten years.* I think that half the time in other parts or 15 years should be a safe time to fix, or if even that is deemed too short, than 21 years." Looking to those recommendations one could fairly expect that no settlements for less than 15 years would be sanctioned. But the Government sanctioned the settlements for only 10 years which were considered *too short* by the Commissioner in Sind himself and the Survey Commissioner. Well, this took place 21 years back. During the interval irrigation has been considerably extended and in many of the talukas there is no room for it. We should not forget that where Government has opened new canals on a large scale, they have got special enactments from the Government of Bombay providing special tenure as in the case of Jamrao canal. The country opened up by this canal was never brought under survey as without water no settlement could be made, and hence Government are free to introduce any tenure. There are no more works of that kind to be carried out, but even if there be any, they can be dealt with separately as in the case of Jamrao canal. There remain only repairs and small improvements in the old system of irrigation and it would be unfair on that ground alone to delay the introduction of 30 years' settlements. At the same time the land assessment system in Sind is so elastic that the Government could not be much the loser by these improvements. The Government gets its assessment in proportion to the facility with which the water can be brought on land. If the canals give more water which can irrigate lands by flow, the Government gets much higher assessment than when water is raised to it by lift. Besides settlements are not introduced or revised in the whole of the Province at once. Three or four talukas are revised every year. It will be admitted that there are many talukas where there is no room for further extension of irrigation and in the words of Lord Curzon, the conditions there have become crystalized. In such talukas settlements for 30 years can be safely introduced and as there is a large number of such talukas the greater part of the Province can be brought under 30 years' settlement. Thus you will see, Sir, that the excuse of irrigation is not a very serious factor in the matter of introduction of 30 years' settlements.

The vagaries of the river do not affect the whole of the Province. Only about a dozen talukas out of 52 border on the river and even in their case the changes in the course of the river (if any) affect only a few of the villages and not the whole talukas. Therefore to deny the privilege of long settlements to the rest of the Province on the ground of these vagaries is not fair. But what does the river do. It generally encroaches upon one side and turns *paka* land into *kacha*, and leaves alluvial soil on the other. There is already a different tenure for *kacha* or alluvial lands. Thus there is an automatic machinery for adjusting the differences caused by the changes of the river. If any surveyed land is swallowed up by the river it becomes alluvial when it comes out, and is treated as such; while on the other hand accretion made to the survey

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land on the other side is dealt with in the same way. I will give you instances of four talukas with which I am personally acqainted, in which the assessments have been revised during the last five years. In Hyderabad Taluka it was revised in 1896 and a general enhancement of 12¼ per cent, was sanctioned on all lands good, bad or indifferent. In Tando Bago and Badin Talukas of the Hyderabad District revision was made in 1898 and a general enhancement was recommended, and similarly in the present year Tando Allahyar Taluka settlement was revised and a general enhancement was also recommended. But happily in the case of the last three talukas no enhancement was sanctioned, thanks to the sympathetic attitude of Mr. Steele who has been at the head of the affairs in the Hyderabad District. But the chief point for reflection is, that in none of these four talukas existed any of the conditions laid down by Lord Curzon for revising settlements. As far as irrigation is concerned the conditions there are crystalized and the vagaries of the river could not possibly affect the last three of these talukas, they being far away from the river and in the case of the fourth, *i. e.*, the Hyderabad Taluka no changes had been caused there by the river. Thus there was no reason at all for enhancing assessment in Hyderabad Taluka or recommending enhancement in the othar three talukas. I am told that it is intended to revise settlements in Tatta Taluka this year. It may safely be said that the conditions in this taluka too are equally crystalized and no reason exists for revision. But does revision mean only enhancement of assessments. Enhancement by 12½ per cent. all round in Hyderabad Taluka could hardly be called revision. If enhancement at this rate goes on every ten years one does not know what will be the condition of things at the expiration of 30 years. But whether there is any enhancement or not the results are the same. As admitted by the Survey Commissioner revision comes in the way of improvement. It always hangs like the Damocles' sword on the agricultural classes and as the time for revision approaches the value of lands considerably falls. This state of things should not be tolerated and the instructions of the Secretary of State ought to be carried out to the effect that in Sind settlement should be guaranteed for 30 years as in the rest of the Presidency. It is admitted as shown above by the responsible affairs, that the existing system of 10 years is too short. (Applause.)

The Honourable Mr. Daji Abaji Khare :—I very heartily second the propositon. I don't think it would be of any profit if I were to give my reasons. For one thing to give my reason would be to repeat everything that has been said by Mr. Mathradas. This is one of those propositions which are being laid before you with the object of bringing Sind on a par with the rest of the Presidency. If you will bear one thing in mind you will not only support the thirty years' settlement but a longer settlement. We all know that every settlement does mean enhancement. though we are aware of the declaration made by the Viceroy in Sind that he was satisfied that revision at all events in Sind did not entail enhancement. However that may be, I think, a thirty years' settlement would be an advantage. (Applause.)

The motion was unanimously adopted.

Resolution XIII.

BUILDING FINES IN BOMBAY.

Mr. V. B. S. Kothare moved :— Mr. V. B. S. Kothare.

" That this Conference is of opinion that, in view of the hardship and misery experienced by the inhabitants of towns and cities in this Presidency, including the City of Bombay on account of over population and the spread of infectious and other diseases, it is highly necessary that Government should, as fas as possible, remove the heavy restrictions on the erection of dwelling places which has hitherto appropriated to agricultural purposes."

He said:—It is a pity that the Bombay Government could not be persuaded by the several petitions that were forwarded to them with regard to fines on agricultural land used for Building purposes. I for one, entertained great hopes that our esteemed Governor would give due weight to the numerous petitions that were most respectfully submitted to him in reference to the matter. But unfortunately such is not the case and the only source left open to us is to respectfully approach the Supreme Government. Had the Land Revenue Code Amendment Bill been withdrawn, the question of Building Fines would have been more favourably settled ; for according to the Revenue Code the Collector has no right to ask for a lease, which has created so considerable a panic amongst the people, who have bought plots of ground for the purpose of building residential quarters ; especially among those who have for the last four years been driven out of their homes by the dire epidemic of plague. It has been the cry of many years that Bombay is very thickly populated, that Bombay is congested, and the inhabitants should seek refuge in the outlying suburbs. The people, however, were so loth and inert that they would not move until the plague forced them to reside there. Railways are striving towards this end to the utmost by giving every facility to the people to enable them to attend to their daily avocations in Bombay, even from a distance of 40 miles. The Government however do not appear to yield, nor do they seem prepared to sacrifice a little apparent increase in their revenue. Instead they have thrown a great obstacle in the way of the people by making the section in the Code pertaining to the question in land, more prohibitive. Perhaps Government may not have been aware of it fully, as of late we find that their tendency is to attribute every movement of ours to the agitation of a few educated people. I may safely say that they are not right in thinking so ; at the same time I may confess that the blame is not entirely attributable to them, when we are aware that we have men amongst us who scruple not to misrepresent facts to them at the sacrifice of the interests of their fellow brethren. Why, cast a glance at the proceedings of the time when the Land Revenue Bill was being discussed. If those three non-official members who voted with the majority had taken up the cause of justice, the majority no doubt would have been on our side and the Bill would never have become law, nor would these unpleasant occasions have arisen to force us to meet and oppose the Bill. No doubt our representation is called a protest ; but if one were to think coolly and without bias, he would be convinced that whatever we have been doing in this direction is not with a view of opposing

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Government measures, but with a sincere desire of helping the Government in a matter, the intricacies of which we, as natives of the place, are more suitable persons to understand than any officers of the State, however well versed in Revenue questions in the abstract and however kind, social and painstaking. We shall be the sufferers and it, is but natural that we should raise our voice against what threatens to be to our disadvantage, through our representatives whom we consider as competent as any Government officer; nay, the more so, as they are born and bred amongst us and hence are capable of understanding our true conditions better than the official. The Government also have admitted so much by giving them the opportunities to think and reason with them by bestowing high honors upon them and by admitting them into their legislative Councils. I think that by giving due weight to their views Government would have honored themselves and their Legislative Councils. It is but fair that Government should respect and not suspect our representatives for pointing out the hardships of the *Sowcars* while advocating the welfare of the agricultural classes. Our demand was in no way unreasonable. For we only asked for six months' time for public examination, discussion and criticism of the extremely difficult and complicated questions involved in the Bill. I consider it to be the bounden duty of every good and loyal citizen to work conscientiously in such matter and render assistance to Government by expressing his sincere opinion fearlessly, because the person who looks to the interests of the people alone, and not to those of himself, can eventually be proved to be the friend of the people. After having brought us up to the excellent position of knowing exactly what is good and bad under the benign British rule, it will only be a retrograde step from such an advanced state to ask us to stop at a certain stage, advance no further and be content with what they do for us no matter whether it be to our advantage or not. Now to turn to the Resolution I am going to propose. With the new scheme of the Bombay City Improvement Trust before us, for which Government has resolved to spend crores of Rupees and according to which several owners have been served with notices to vacate their houses which are to be demolished, may I ask where are these hundreds of families in large numbers to go ? Has Government provided for them any accommodation to live in ? This makes the Resolution most important and I trust that Government will kindly pay their early attention to it on the following grounds ;—as already stated Bombay is steadily growing in respect of its population and to prevent the evil consequences thereof with its attendant misery, free space and latitude must be given to the people by the Government, which would certainly be done either in England and America, were such a contingency to arise there. On the western Continent the people are so eager to go in search of new places for abode elsewhere that they soon immigrate into unknown regions. The people of India on the contrary are so very apathic that they find native dislike to move about or be away from their native soil. But in our case no such need arises as to seek lands in alien soils ; for we have vast tracts of waste land which can well be utilized to counteract the impending miseries. When now the people are arousing themselves up and having recourse to this step, the Government seem to throw impediments in this most needed sanitary improvement by imposing building

fines, which were never known until the passing of the Revenue Bill in 1879. Originally it was only a small sum per acre, but none at the time I believe ever foresaw the evils that would ensue in the near future. To bear out my assertions I would cite a few facts that have fallen under my observation. With gradual increase this fine has now gone up ten-fold—nay in same cases at one time it had gone even higher, something like Rs. 5,000 per acre. This was quietly submitted to, there being no resource left since Bombay was getting worse.

At Andheri the building fine rose from Rs. 250 per acre to Rs. 1,500 per acre which fully compensated Government for any unearned increment shown by the rise in the value of land. Taking the batty fields' annual assessment to be Rs. 7 per acre, Government get at the rate of Rs. 1,000 per acre (the amount of maximum fine imposed according to the old code) Rs. 210 in a lump sum as 30 years' assessment in advance, plus Rs. 790 on that assessment for any rise in the value of the land and its produce that may at any time thereafter take place. Looking to the Sections 48 and 65 of the old code which deal with this building fine no mention is made as to the amount of fine leviable, it being left to be fixed by the executive functionaries but subsequent events have belied this step of the Government. Thus this body fixed the maximum at Rs. 1,000 with a power that was vested in the Governor in Council of increasing it under certain exceptional cases. The result was that in case of certain villages the fine was fixed at Rs. 5,000 per acre which however was soon reduced to Rs. 2,500 for Bandra and Rs. 1,500 at Andheri and to Rs. 1,000 for Gundoli and Amboli and Sion, &c. when the impossibility of the people paying such exhorbitant fines became evident. To allay all these difficulties I submit that the Government ought to provide free building sites for various reasons, the foremost of which are that: 1st., The people are in the majority of cases very poor and unable to dwell in places miles away from their business; 2ndly, a vast expanse of land is lying idle as waste which can easily be converted to better use; 3rdly, this would remove the strain of overcrowding and thus indirectly be the means of checking the insanitary condition of the city and also be a saving of the extraordinary expenditure undergone by Government. This has been fully attested to, by the approach of plague every year amongst us; 4thly, the last but not the least, is the very fact that plague forces most of us for months together in a year to have recourse to suburban houses which afford free and open air. And this act of Nature is supported by the action of Government who in times of epidemic take every step to make the people evacuate their unhealthy places. Perhaps now the Government are afraid of diminishing the produce of the country by the conversion of arable land into building sites. But no such contingency need be dreaded; for with the increased population increased produce will necessarily be required, but this increased demand can be satisfied by bringing into use innumerable pieces of land now lying waste and uncultivated which would ultimately be a great gain to Government and the State itself. Such also would be the case if the lands now in use as agricultural lands were given for building purposes. But this cannot be, as at present various hindrances are put in our way by the question of fines and no improvement is ever possible. And this difficulty is made the more impracticable by the amendment of section 48 as now proposed. This same section had already

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settled the question by fixing the rate beyond which none could go as it covered up all the possible fluctuations and there was no fear of the revision of land. Now the case has been made unstable by the present proposal by which the Governor in Council is empowered to fix the rent of ground periodically and the revision thereof. With due deference to the opinions of the Governor in Council and some of the Hon'ble members I humbly and most respectfully submit that the Bill in its present form is extremely undesirable and the same objections as argued against the Bill of 1879 are applicable to this one with greater effect. Now the result would be to make the holding of land very insecure since it would empower the Collector or a person nominated in his place to misuse from time to time the assessment say for Rs. 10 to Rs. 50 and perhaps even more, thereby making a person lose all the savings of his lifelong toil, whereas in the former case, so much at least was assured that when once the fixed amount was paid no more demands of increased assessment would ever be made. Thus one could at least be secure in that hope. All this is now lost, which makes it most urgently desirable to withdraw this obnoxious amendment and hence our respectful objection to it. In conclusion, I earnestly pray that the Supreme Government will graciously be pleased to go over this question with an unprejudiced eye to the interest of the subject and as an act of grace will veto the said amendment thereby carrying the gratitude of the people. We are fully alive to the fact that were this objectionable Bill not passed into law we would erelong have seen several dwelling places skirting the suburban village thus affording pleasant and secure refuge from the fearful ravages of plague, which is again shewing signs of recrudescence surely though slowly.

I therefore request that the Imperial Government will kindly give its due consideration to this important question. (Applause.)

Mr. Ramdutt V. Desai formally seconded the proposition.

Mr. N. B. Ranade, in supporting the motion, said:—This question of building fines is of great and growing interest amongst the inhabitants of Salsette and amongst all Bombay land owners who have purchased land on which to build houses. If any one purchase land which he does not wish to use as agricultural land, although the assessment at present is about two rupees. Government want to charge Rs. 24 per yard as building fine. Again the permission given to the building is permission given only for a period of fifty years. The Rs. 24 assessment may be still further increased to Rs. 36 and if we don't pay that we stand in danger of forfeiting our land according to the new Land Amendment Bill. Instead of putting such restrictions on the building of new house for the middle classes I would suggest that Government should place facilities in our way; for if people belonging to the middle classes go and live amongst the poor villagers they will do something to improve them to educate them and help them with money and in this way they will be of great use to them. (Applause.)

The resolution was carried unanimously.

Resolution XIV.

THE NEXT CONFERENCE.

Resolution XIV.

On the motion of the President it was resolved and carried :—That the Provincial Conference for 1902 shall assemble at such place as may hereafter be notified.

Resolution XV.

THANKS TO THE RECEPTION COMMITTEE.

Resolution XV.

Mr. Tekchund Udhowdas of Sind moved the next resolution which was as follows:— "That the best thanks of the Conference be tendered to the Reception Committee and the Honorary Secretaries." He said :— Mr. Tekchund Udhowdas.

MR. PRESIDENT AND BROTHER DELEGATES :—I am very happy indeed that I am called upon to perform the most pleasant and agreeable task of proposing a vote of thanks to the members of the Reception Committee for the very kind and hospitable manner in which we have been received and treated here. My brother delegates, our best thanks are due to Mr. Sayani the Chairman, for the most cordial welcome he accorded to us yesterday and I must not omit to mention the name of my friend Mr. D. E. Wacha who has been so good and kind to us all. During our stay in the city of Bombay no pains have been spared to keep us comfortable in every way and as I cannot find adequate language to express our most grateful acknowledgments for all the trouble taken for looking after our comforts and conveniences here, I trust the Reception Committee will kindly take the will for the deed. I must not forget to offer our heart-felt thanks to the young volunteers headed by their indefatigable captain, Mr. Desai, who have been so useful throughout and have rendered our stay here so agreeable and pleasant. (Applause).

Mr. Hurdevram Nanabhoy Haridas of Surat seconded the proposition which was heartily carried. Mr. H. N. Haridas.

Resolution XVI.

THANKS TO THE PRESIDENT.

Resolution XVI.

Mr. R. M. SAYANI proposed :— Mr.R. M. Sayani.

"That this Conference tenders its most cordial thanks to its President, Mr. Tahilram Khemchund C. I. E. for his able conduct in the Chair."

I have a pleasant duty to perform. I have the honour and the privilege to propose that the most cordial thanks of this Conference be tendered to the President for his able conduct in the chair. Gentlemen, you have noticed throughout our proceedings of the day, that speaker after speaker had to advance arguments and to cite authorities in favour of the respective propositions which were placed before you for your acceptance. My position differs from that of the previous speakers, in this respect, that I have not to adduce any arguments or to cite any authorities to persuade you to accept my proposition. Your observation of the conduct of the chair is my argument, and your appreciation of such conduct is my authority ; your goodselves are the eye-witnesses whom I call in favour of my case. You, gentlemen, have listened to the careful,

Resolution XVI.

considerate, interesting and instructive address which we had the privilege to hear yesterday from the presidential chair, and you have also witnessed, throughout the proceedings of to-day, the great ability and admirable tact with which such proceedings have been managed, the tender consideration and the sympathetic courtesy, which have been extended to every one from the chair, and the masterly manner in, and the easy grace with, which the presidential office has been conducted, so as to leave on the mind of every one of us here the indelible impression of an able and firm and yet considerate and courteous rule.

Gentlemen, our Sindhi friends have complained, and very properly, that their province is isolated from the Presidency proper in certain matters of administration, and they have declared that the people of Sind are desirous that their province should be placed in a line with the Presidency proper in all matters. May I be permitted to remind our Sindhi friends that we, the people of the Presidency proper, have already admitted the people of Sind to our Brotherhood, and have made common cause with them, and placed one of them in the chair of the Conference of the Presidency, and to hope that this action of ours will prove an augury for the early realization of the legitimate aspirations of the people of Sind to see their province completely amalgamated with the rest of the Presidency. With these few observations, gentlemen, I beg to place my proposition before you, I have no doubt whatever, it will be carried unanimously and by acclamation. (Applause).

Sir Bhalchandra Krishna Kt.

Sir Bhalchandra Krishna Kt., seconded the Resolution as follows :—

I also consider it a very great privilege to be allowed to second this proposition. I have very few remarks to add to the eloquent and appreciative observations that have fallen from my friend Mr. Sayani. You have heard with great attention the very thoughtful and very striking address which our excellent President delivered yesterday. The address was written in such an excellent manner and was marked by such extreme consideration that it should be acceptable to persons of every description and I have no doubt that it will receive the very careful consideration of the Government. I may add one word more and it is the suavity of manners, the courtesy and the extreme kindness which we all have experienced at the hands of our President deserve our heartiest and best thanks. You may rest assured, gentlemen, that the Province of Sind which has such great citizens like our worthy President and our brother delegates from Sind certainly has a bright future before it. Our Sind friends need not be anxious, need not despair, that because Sind is away from Bombay their interests will not be well-considered, if we all join with them in representing their grievances to the Government of Bombay Presidency, though I am perfectly sure that the interests of the whole of Sind are quite safe in the hands of a gentleman like Mr. Tahilram. (Cheers). On a former occasion we had the honour of a reception at the hands of our Sind friends when the Conference took place in Karachi in 1896. The bonds of friendship have been drawn closer on this occasion by us, in turn, we having amongst us a number of able, eloquent and distinguished gentlemen from Sind. Lastly I have one word to add. It is by way of supplying what was really an accidental omission. When Mr. Kelkar mentioned the names of elected members of Municipalities he alluded to our eminent President and I would like to add that we have here in the Conference

also the President of the Bombay Municipal Corporation Mr. Wacha whose services to that body have been so universally known. (Applause).

The resolution was carried by acclamation.

President's concluding Address.

Concluding remarks by the President.

The President, who was received with enthusiatic applause, in replying to the vote of thanks said :—To me now falls the duty, the very pleasing duty, of thanking you one and all for the very kind manner in which you have received me and the very courteous treatment that you have accorded me during my stay here. (Applause). On this occasion I have a twofold duty to perform ; first on behalf of the delegates assembled here to thank the Reception Committee for their endeavours to make us comfortable and to make our stay as pleasant as possible. The second duty which I have to perform is personal to myself, not merely as President of this Conference but as a representative coming from what is called an isolated Province. Much has been made of the isolation of Sind. There is no doubt that we do suffer greatly in some matters from this isolation, but you are not to carry away the impression that Sind does not owe gratitude to Bombay for the help that it has received in the past and is receiving now. (Applause). We have long since known that whenever we needed help Bombay, moved by broad minded citizenship has always come to the rescue. So far back as 1884 I recollect that when the measure of local Self-Government was in the Council it was proposed for Sind that the Municipality should be constituted on a basis entirely different from the Municipalities in the rest of the Presidency. There were petitions that the matters should be reconsidered and I recollect with pleasure and gratitude the support that was accorded to us by the Hon'ble Mr. Budrudin Tyabji in putting forward the case for Sind, that it did not deserve any differential treatment, and it was his powerful advocacy (cheers) that rescued Sind from the position that it was intended to thrust it into. I have always since then been careful to admit the importance of the help that was given to us and the interest taken in us by Bombay. They did not know us then perhaps as well as they have since come to know us, but it shows the kindly feeling that they intended to a Province which is not so near to them as other parts of the Presidency. Coming to more recent history, I have noticed that whenever we are in difficulties it is you gentlemen in Bombay and other places that have come to our aid. Only the other day there was a Bill in the Council intended to deprive what I may be permitted to say is the most advanced Municipality in Sind of its representatives on the Port Trust. Who came to our rescue then? Not the Sind members, gentlemen, but the Hon'ble Mr. Mehta. (Applause). I think I am divulging no secret when I say that quite recently a proposal has been started to deprive the Karachi Municipality of its full representation on the Port Trust but the attention of the elected members of the Council has been called to the matters and they have ungrudgingly given us their support. It is therefore not correct to carry away the impression that Bombay has been neglectful of Sind. Then again when you started the Conference Sind did not come forward to take a share in the burden which lay on it. But even then, so far as back as 1892, when you had your Conference at Ahmedabad and the question of the extension of the Legislative Council was engaging the attention of the Presidency, I find in one of the resolutions you

Concluding Remarks by the President.

bore Sind especially in mind and resolved that the Province should get two seats, although on that occasion there was no representation from Sind. You, gentlemen, I, am glad to say, mindful of Sind, come forward to accord a proper place to Sind in your programme and ever since you have borne that Province in your minds. If the inequalities that have been placed to-day before you from Sind have not been noticed earlier it has been entirely due to our neglect; not due in any degree to lack of interest on your side but due to neglect on our part in bringing them to your notice. I am quite sure that if we had only brought them to your notice you would have accorded support to us in relation to these matters in the same way that you have done in the past. When we invited you to the Karachi Conference in 1896 you were as ready as ever to take up our grievances, and I know from personal knowledge that you put in your programme items that we suggested. The same treatment you have accorded to us on the present occasion and you have at once recognised the importance of bringing Sind closer in touch with you and thereby tending to unite the Province with other parts of the Presidency. I cannot express in proper language my feelings of gratitude to you. All I, therefore, say is that I thank you from the bottom of my heart for the very kind and generous treatment you have given to the Sind representative. As President of this Conference, I can say that in the little experience of public life I have had I never received more considerate and generous treatment than you have accorded to me. If this Conference has been a success I say it has been entirely due to the tact and the manner in which you conducted your deliberations. I have not even been called upon to strike the gong. Your speeches, if I may be permitted to say so, have been so full of matter and have been couched in such temperate language that I have not the least doubt that the public will accord to them the credit of being reasonable and sensible address. Gentlemen, my heart is so full, that I cannot adequately give expression to the thoughts that are passing through my mind. When Mr. Mehta moved me to the chair, I tell you that I was really blushing. I could not tell whether I would acquit myself with credit to you. At the conclusion of the Conference I can only say that if I have at all acquitted myself with any credit, however small, it is entirely due to the kind encouragement you have extended to me. (Applause).

After giving three hearty cheers for King Edward VII and three more for the President, the Conference was dissolved.

LIST OF DELEGATES

ELEVENTH PROVINCIAL CONFERENCE,

HELD AT BOMBAY,

On the 14th & 15th September 1901.

Name in full of delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
Dr. A. P. Cama	Parsee ...	Medical Practitioner ...	By the Council of the Bombay Presidency Association.
Ardaseer Framjee, Esq., B. A., LL. B.	Parsee ...	Solicitor, High Court ...	,,
Atmarampant Kayajamkar Esq. ...	Hindu ...	.....	,,
†Amirudin Tyebji, Esq.	Mahomedan	.....	,,
B. U. Joshi, Esq.	Hindu ...	Teacher	,,
*B. N. Bhajekar, Esq., B. A., LL. B.	,, ...	Vakil High Court ...	,,
Byramjee Dadabhoy, Esq.	Parsee ...	Government Pensioner...	,,
Burjorjee Dorabjee Panday, Esq. ...	,, ...	Salesman, Ritchie Stuart & Co.	,,
*Sir Bhalchandra Krishna, Kt. ...	Hindu ...	Medical Practitioner ...	,,
Burjorjee Nowrojee, Esq.	Parsee ...	Journalist	,,
*Babajee Gopal, Esq.	Hindu ...	Civil Engineer	,,
*The Hon'ble Bomonji Dinshaw Petit.	Parsee ...	Merchant...	,,
*Bhaishunker Nanabhai, Esq. ...	Hindu ...	Solicitor, High Court ...	,,
*Balaji Pandurang, Esq.	,, ...	Government Pensioner...	,,
Bhagvandas Narotamdas, Esq. ...	,, ...	.....	,,
*W. A. Chambers, Esq.	European ...	Architect & Civil Engineer	,,
†Chemanlal H. Setalvad, Esq., B. A., LL. B.	Hindu ...	Advocate, High Court ...	,,
*Currimbhoy Ebrahim, Esq. ...	Mahomedan	Merchant	,,
*C. M. Banajee, Esq.	Parsee ...	Mill Agent	,,
*Dr. Cowasji Hormusji	,, ...	Medical Practitioner ...	,,
*D. G. Padhye, Esq., B. A. ...	Hindu ...	Principal, Gokaldas Tejpal High School.	,,
*Dharamsey Morarjee Goculdas, Esq.	,, ...	Merchant	,,
*Dinshaw Jeejeebhoy, Esq., B. A., LL. B.	Parsee ...	Solicitor, High Court ...	,,
Dalpatram P. Khakar, Esq. ...	Hindu ...	Government Pensioner...	,,
D. S. Deshmukh, Esq.	,, ...	.....	,,
Deepchand Manekchand, Esq. ...	,, ...	Jeweller	,,
†D. E. Wacha, Esq, President, Bombay Municipal Corporation.	Parsee ...	Mill Agent	,,
*The Hon'ble Mr. Daji Abaji Khare, B. A., LL. B.	Hindu ...	Vakil, High Court ...	,,
*Dharamsey Dwarkadas, Esq. ...	,, ...	Merchant	,,
*D. C. Shroff, Esq....	Parsee ...	Mill Agent	,,
D. F. Mulla, Esq., B. A., LL. B. ...	,, ...	Solicitor, High Court ...	,,
Dhunjishah Pallonji, Esq., B. A., LL. B.	,, ...	,, ...	,,
Dr. Dinshaw B. Master	,, ...	Medical Practitioner ...	,,
*Damodar Gordhandas, Esq. ...	Hindu ...	Broker	,,
*Rao Saheb Ellapa Balaram ...	,, ...	Contractor	,,
*The Hon'ble Mr. Ebrahim Rahimtulla.	Mahomedan	Merchant	,,
Eknath R. Khote, Esq.	Hindu ...	,,	,,
*Fazulbhoy J. Laljee, Esq. ...	Mahomedan	,,	,,
Fazulbhoy C. Ebrahim, Esq. ...	Mahomedan	,,	,,
*Fakirbhoy Premchand, Esq. ...	Hindu ...	Broker	,,
Framroze A. Vakil Esq., B. A., LL. B.	Parsee ...	Solicitor, High Court ...	,,
Govardhanram M. Tripathy, Esq....	Hindu ...	Vakil, High Court ...	,,
Govind Dasrathset, Esq.	,, ...	.....	,,
*The Hon'ble G. K. Parekh, B. A., LL. B.	,, ...	Vakil, High Court ...	,,

* Member of the Reception Committee of the Conferenee.

† Honorary Secretary of the Reception Committee of the Conference.

Name in full of delegates with honorary titles, scholastic degrees, &c.	Race and Religion.	Occupation.	How and when elected.
Goculdas Gordhandas, Esq. ...	Hindu ...	Merchant	By the Council of the Bombay Presidency Association.
*TheHon'bleProf. G.K.GokhaleB.A.	,, ...	.....	,,
*Gordhandas Khatau Makanji, Esq..	,, ...	Mill Agent	,,
*David Gostling, Esq.	European ...	Architect and Civil Engineer.	,,
*Gordhandas Sunderdas Mulji, Esq..	Hindu ...	Mill Agent.	,,
G. S. Gokhale, Esq., L. C. E. ...	,, ...	Civil Engineer	,,
*G. N. Nadkarni, Esq., B. A., LL. B.	,, ...	Vakil, High Court ...	,,
*Gunpat Sadashiv Rao, Esq., B. A., LL. B.	,, ...	Do.	,,
*Gordhandas Goculdas Tejpal Esq.	,, ...	Mill Agent	,,
Gangaram B. Rele Esq.	,, ...	Solicitor, High Court ...	,,
Hirachand Nemchand, Esq. ...	,, ...	.....	,,
*Hari Sitaram Dikshit, Esq., B. A., LL. B.	,, ...	Solicitor, High Court ...	,,
*Hormusjee Shapurjee, Esq. ...	Parsee ...	Do.	,,
*Hardevram Nanabhai Haridas, Esq. B. A., LL. B.	Hindu ...	Barrister-at-Law ...	,,
*Hormasji M. Cama, Esq.	Parsee ...	Merchant...	,,
*H. A. Wadia, Esq.	,, ...	Barrister-at-Law ...	,,
*Haji Yessoof	Mahomedan	Merchant	,,
Hushain B. Tyebji	,, ...	Barrister-at Law... ...	,,
*Hasambhoy Visram Esq. ...	,, ...	Merchant...	,,
*Dr. Ismail Jan Mahomed	,, ...	Medical Practitioner ...	,,
*Jehangir B. Petit, Esq.	Parsee ...	Merchant	,,
*Jamsetjee N. Tata, Esq.	,, ...	Merchant...	,,
*Jagmohundas Vandravandas Bhaiset, Esq.	Hindu ...	Do.	,,
*Jaffer Rahimtulla, Esq.	Mahomedan	Do.	,,
Jairam Bhaurao Deshmukh, Esq. ...	Hindu ...	.....	,,
*Jamsetji A. Wadia, Esq.	Parsee ...	Mill Agent	,,
Jivaji D. Ghandy, Esq , B. A.,LL. B.	,, ..	Solicitor, High Court ...	,,
Janardhan Gopal, Esq.	Hindu ...	Do.	,,
Dr. Jehanghir Lilaovalla	Parsee ...	Medical Practitioner ...	,,
*Jamiatram N. Haridas, Esq. B. A., LL. B.	Hindu ...	Barrister-at-Law ...	,,
*K. Natarajan, Esq.	,, ...	Journalist	,,
*Krishnalal M. Jahveri, Esq., B. A., LL. B.	,, ...	Vakil, High Court ...	,,
K. W. Bhat, Esq.	,, ...	.....	,,
*Karim Nensey, Esq.	Mahomedan	.....	,,
*Kazi Kabirudin, Esq.	,, ...	Barrister-at-Law... ...	,,
*Khursedji Nusserwanji Wadia, Esq.	Parsee ...	Merchant	,,
Dr. K. M. Hiramanek	,, ...	Medical Practitioner ...	,,
*Khimji Jairam Naranji, Esq. ...	Hindu ...	Merchant...	,,
*Kaliandas Keshavdas, Esq. ...	,, ...	Merchant	,,
Dr. Kawasji E. Dadachanji ...	Parsee ...	Medical Practitioner ...	,,
Lallubhoy A. Shah, Esq., B.A.,LL.B.	Hindu ...	Vakil, High Court ...	,,
*Lakhamsey Neppoo Nensey, Esq.	,, ...	.....	,,
Laljee Ramjee, Esq.	,, ...	Merchant...	,,
Lallubhai Samuldas, Esq.	,, ...	.....	,,
Manilal Umedram Thakore, Esq. ...	,, ...	Barrister-at-Law ...	,,
Manmohandas D. Shroff, Esq. ...	,, ...	.....	,,
M. A. Jinnah, Esq.	Mahomedan	Barrister-at-Law	,,
*M. R. Bodas, Esq., B. A., LL. B.	Hindu ...	Vakil, High Court ...	,,
*Dr. M. G. Deshmukh	,, ...	Medical Practitioner ...	,,
Meghji Vallabhdas, Esq.	,, ...	.....	,,
*Mulji Bhavanidas Barbhaya, Esq.	,, ...	Solicitor, High Court ...	,,
Morarji Goculdas Devji, Esq. ...	,, ...	.....	,,
Markand N. Mehta, Esq.	,, ...	.....	,,
Manmukhram K. Mehta, Esq. ...	,, ..	.....	,,
Madhawji Virji, Esq., B. A., LL. B.	,, ...	Solicitor, High Court ...	,,
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Waman Sakharam Khare, Esq., B. A., LL. B., Chairman Nasik Municipality.	,, ...	Pleader	At a public meeting held under the auspices of the Nasik District Association on 8th September 1901.
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Ganesh Luxmon Page, Esq. ...	,, ...	.....	Public meeting at Wai on 2nd September 1901.
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Vithal Mahipat Supanikar, Esq. ...	,, ...	Pleader	At a public meeting held at Karad on 8th September 1901.
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The Hon'ble Prof. G. K. Gokhale, B. A.	,, ...	Prof. Fergusson College Poona.	The General Meeting of the Deccan Sabha held on 8th September 1901.
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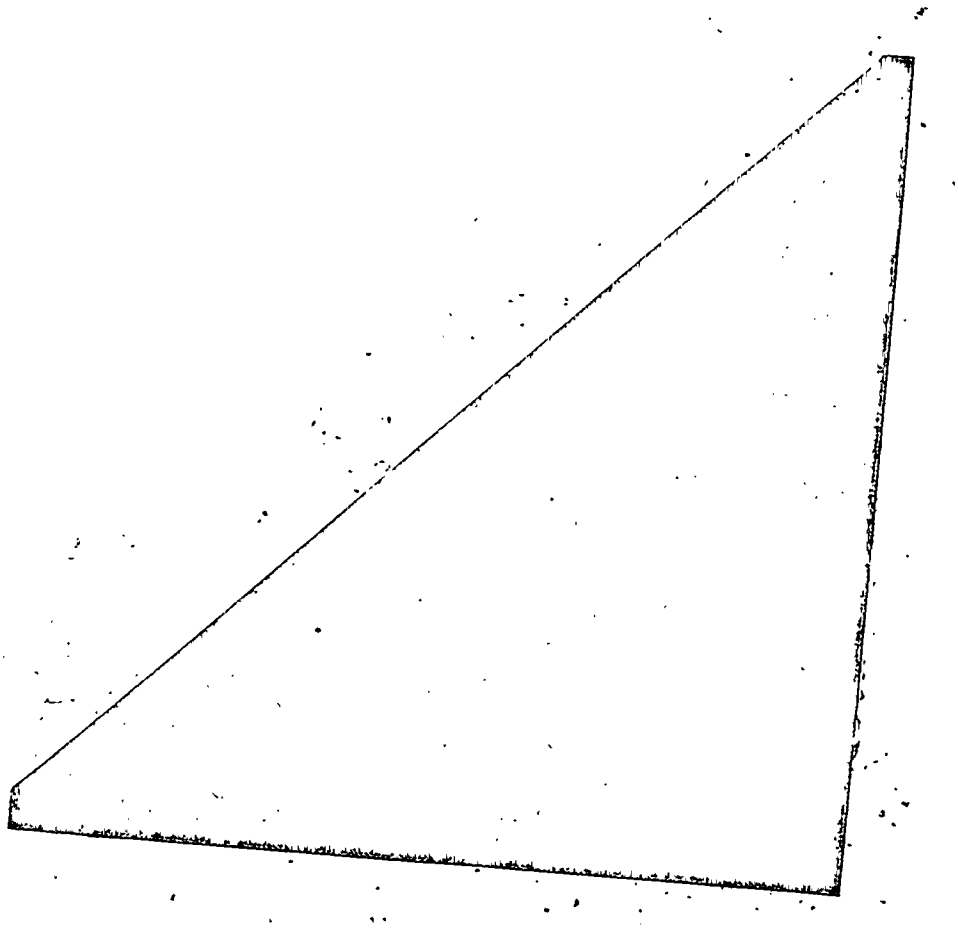

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